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June 1861



OUR
LIVING
REPRESENTATIVE MEN.

FROM OFFICIAL AND ORIGINAL SOURCES.

BY
✓
JOHN SAVAGE.

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PREFACE.

THIS work embraces memoirs of the lives and public services of those statesmen, soldiers, and politicians who have been prominently suggested for the Presidential succession in 1861.

The endeavor has been to make the work useful in matter rather than ornamental in style,—to give a graphic and comprehensive record of the public acts of our public men, free from any partisan influence, and to present each in the position accorded to him by his party and attained by the advocacy of the principles to which he has devoted his powers of intellect. Thus the acts and words of each man are allowed to define his own position. Each man speaks for himself, through the history of his public career, of whose utterances I am but the recorder and not the judge.

In bringing together the lives of so many contemporaries,—men who have been engaged on the same great field of politics,—it is, of course, impossible to avoid frequent allusion to the same topic under different heads. To make each memoir as nearly perfect in itself as possible, no other course could be pursued. But it will be found that allusions to the same general topic or debate are modified by the extent to which the subject under notice made the one or participated in the other.

The opinions and speeches of every statesman on all prominent subjects of public interest are indicated or analyzed so as to present the principal features in the most unmistakable manner, in the hope that the volume will be the most useful, as it is the most extensive, of its kind, and a work of reference indispensable to men in every walk of life.

In the collection of the multitude of facts and dates to be found here, I have had, in addition to the authority of the ponderous archives of the Government, efficient aid from numerous distinguished political and literary gentlemen. Besides valuable references and documents, they furnished me with elaborate and authentic original details, which I have used with, I trust, impartial freedom. Throughout the work many acknowledgments of indebtedness for such assistance are made; and I regret that the modest generosity of many prominent correspondents compels me to remain their silent debtor.

It may be proper to add that the articles describing certain scenes in the Senate during the great Kansas debate of March, 1858, were written on the spot, in full view of the occurrences related, by the present writer, during his connection with the Washington journal from which they are extracted.

J. S.

WASHINGTON, D.C.

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OUR
LIVING REPRESENTATIVE MEN.

NATHANIEL P. BANKS,

OF MASSACHUSETTS.

THE life of Mr. Banks, like those of Patrick Henry, Andrew Jackson, Henry Clay, Stephen A. Douglas, Henry Wilson, and others who have risen to honorable place and power, in the United States, from the forest, the plough, and the workshop, affords an ennobling illustration of the character of the institutions under whose sheltering and encouraging bounty the people can be represented from their own ranks. It holds out bright inducements to every youth of energy, industry, and a healthy ambition, to remember—how humble soever his origin or his means—that

“A man’s a man for a’ that,”

and that to him, as a man, the brightest prospects are open, and the highest offices of a great Republic within the legitimate scope of his intellect and ambition. There are no trammels either to the one or to the other.

From the number of books published of a personal, sketchy, and biographical character, it would seem that this age takes a greater interest in its public men than any of its predecessors. It would seem that the world grows fonder of its offspring, of every class, and delights to parade before its eyes the faces and faculties, the lives and labors, of those who have sprung from its necessities.

Yet, although Mr. Banks occupies a very prominent position in the politics of the country, the curiosity of the reading world has not been very extensively gratified by any detailed, or even comparatively full, account of his early days. We have little save the leading fact that he made his first appearance in the humblest path of life, and continued in its trying but instructive course for years. A brief sketch, written by Mr. Ben Perley Poore, gives us a suggestive view of his youth, and supplies in part our facts.

Nathaniel P. Banks was born in Waltham, a town of Massachusetts, on the 30th of January, 1816. Waltham was the parent of Lowell and Manchester. In point of time, it was the second manufacturing town in the Union, and supplied the machinery and laborers for the now more famous towns just mentioned. As the birthplace of Mr. Banks, however, it will retain, in the eyes of Massachusetts, and perhaps of those of the whole Union, an importance which to the vision of some is more ennobling than the successes of the loom and the anvil, the spindle and the steam-power. Even now, on the margin of the Charles River, sentinelled by old-fashioned machine-shops,—gossipers of the bygone enterprise from which sprung Lowell,—a dilapidated tenement is respectfully pointed out as the house in which the subject of this sketch was born. That fact in itself is fame. The son of poor operatives, little Banks began to work out an apparently dismal destiny of poverty and hard work amidst the whirr of the loom and the spindle, the clank and roar of engines, and the bustle of unresting industry. Gerald Massey, the people's poet of England, who went through a somewhat similar novitiate in the labor of life, gives a disheartening glimpse of child-experience in the factories,—rising at early dawn and toiling till evening; “seeing the sun only through the factory-windows; breathing an atmosphere laden with rank, oily vapor, his ears deafened by the roar of incessant wheels;—

“Still all day the iron wheels go onward,
Grinding life down from its mark,
And the children's souls, which God is calling sunward,
Spin on blindly in the dark.”

The children of the poor, when they are of an age “to do something for a living,” are too useful to be allowed to attend

school. They have to contribute to the family means. Of course the boy Nathaniel had scant opportunities for education; but what he snatched was deposited in a fruitful soil. The three months which poor boys in his condition annually devote to the common schools must have been most faithfully enjoyed and carefully cherished. There are those, it is stated, who still remember the diligence with which he conned his tasks at spelling or figuring, and the heroic and characteristic air of stoicism with which the ragged, bare-footed little fellow maintained his place among comrades who enjoyed an accidental superiority of fortune. Notwithstanding, however, a certain natural reserve, which straitened circumstances and peculiar family afflictions had contributed to strengthen, it was not long before his force of character, and those other qualities of a leader to which he is indebted for the success of his manhood, were fully recognised. As he grew older, the increasing strength of the stripling was needed to wholly support himself; and thus ended his brief career as a school-boy. He had tasted of knowledge, however, and he hungered for more. The appetite had to be appeased; and, when his body was tired in filling out the factory-hours, he set to work to satisfy his mind. All his hours "not occupied in the factory were devoted to the grave and important studies of history, political economy, and the science of government." A village debating-society was the field on which he manœuvred the little army of facts that he had collected in his brain, capturing others, and using them in turn. Here he gained a knowledge of the rules of debate. It was, so to speak, the parliamentary class in which he took his first honors, and which gave him that first insight into the modes of a discussive assembly which culminated in the Speaker's seat of the national House of Representatives. So desirous was he of participating in these youthful debates, and so sensible was he of the benefit—in discipline as well as incentive to public speech—to be derived from them, that, when residing in a town nine miles distant from the place of meeting, he used to walk there and back, rather than miss an evening at the society.

Mr. Banks's first public position was as editor of a newspaper in Waltham. It was the debating-society on a more extended scale. The excitement pleased and the influence flattered the

boy who had made himself. He continued in the occupation, as editor of a journal in Lowell, expanded into politics, advocated the principles of the Democratic party,—then in an Opposition minority in Massachusetts,—and gained the good opinion of citizens in general by his enthusiastic labors in favor of popular education, temperance, and all other topics upon which those who differed with his politics could heartily agree with him. He studied law, likewise, but did not practise much.

It would seem that his success was not commensurate with his zeal and industry. For six years he was a candidate for a seat in the Massachusetts Legislature, and was defeated every successive year. Chagrined, and probably disheartened, he looked abroad for a more suitable field for his future, and had almost determined to seek the then recently-acquired El Dorado on the Pacific. He wanted an arena for political exertion; he felt that to be his *forte*, and was on the point of emigrating, when, by one of those chances which often make or unmake a whole career, he thought that something was due to those friends who had so constantly supported him, and who still desired him to await another trial. He received renewed courage from the thought, remained, and was elected in 1848 to represent Waltham in the Legislature. In this body he soon signalized himself as a Democrat, and, on the 23d of February, 1849, he made a notable speech on the presentation of certain resolutions on the Slavery question, and in reply to the attacks of a Free-Soil member upon the Democratic party. This was the first speech of Mr. Banks, and it at once gave him position. Its purport was to show that the Democratic party, in the extension of territory, was not influenced by any desire for the extension of slavery. The time and the topic of the speech were equally auspicious for the speaker, and especially in Massachusetts, so far as publicity was concerned. He was listened to with great attention, and impressed the Democrats so strongly that he was regarded as a leader. He served in both branches of the Legislature, acted some time as Speaker, and took an active and influential part in the public business generally, serving on the very important committees on Railroads and Canals, and on Education. Among the speeches delivered by him at this period, those on the proposition to enact a plurality law with reference to the election of members of Congress, and on questions

connected with the railroad-interests of the State, are especially referred to as noteworthy.

If the career of Mr. Banks had been to some extent disheartening in the years previous to his entry into the Legislature, it now progressed in a manner eminently gratifying to his most attached friends. Honors followed quickly on the recognition of his talents and energy, and even various places contended for the honor of being represented by him who a few years previous had suffered such persistent discomfiture. In 1850, the Board of Education appointed him Assistant Agent, thinking that an effective means of procuring certain changes in the laws covering the educational system of the State. Mr. Banks delivered many addresses on the subject, and resigned in September of the same year, having accepted from the Legislature a seat on the State Valuation or Census Committee, which then commenced its sittings. A couple of months afterward, he was simultaneously elected to the State Senate by the Democracy of Middlesex county, by a majority of two thousand, and to the House by his old friends of Waltham. At the meeting of the Legislature, he decided to remain in the latter, and was chosen Speaker by a large majority on the first ballot. He held this position for two successive sessions, and did not derogate from the dignity of a seat which had been occupied from time to time by some of the most distinguished sons of Massachusetts. On the assembling of the Convention, in 1853, to revise the Constitution of Massachusetts, Mr. Banks was chosen President, and sustained his reputation as a presiding officer.

Having thus indelibly stamped his name on the records of his native State, Mr. Banks was destined to extend his reputation and political importance. He had previously declined a nomination to Congress, in the laudable desire, doubtless, of perfecting his home reputation before he went abroad, but acceded to the proposition in 1852, and was elected to the national House of Representatives. In a reply to a member from Mississippi, during the excitement at the commencement of the Thirty-Fourth Congress, Mr. Banks avowed that he was returned by an affiliation of the Democrats and "Know-Nothings." "When I was elected to this House," said he, "as a member from the

State of Massachusetts, I was elected on the nomination of the regular Democratic party, and of the American party of the district. The American party was very largely in the majority. I avowed my sentiments freely and fully." He soon, however, transferred to the newly-organized Republican party whatever sympathies he had had with the Democratic, and has been twice re-elected to Congress, serving through the Thirty-Third, Thirty-Fourth, and a portion of the first session of the Thirty-Fifth Congresses.

The Congressional career of Mr. Banks brought him into striking prominence before the whole country. It is not remarkable for the number of his speeches so much as for their pith and point, and for the effect they produced on his contemporaries.

He forcibly opposed the Nebraska-Kansas Bill and its non-intervention principles, arguing (May 18, 1854) that wherever the Government obtained the right to acquire territory, there they got the right to control it. He contended that the then Congress could not say upon what terms additional territory should be acquired. The people hereafter would determine the question for themselves. He would let the past stand, and let the future, when it came, be decided by the people who should then have the power and control. They were called upon to repeal the Missouri Compromise because it was said to be unjust to the South. All he had to say in reply was, that the South made it; and he denied that it was unjust or unequal as regarded the South. Every Southern man had the same right to carry his property to these Territories as the North had. But then Southern gentlemen said that they had a class of property which was only made so by local or municipal laws, and that they were prohibited from taking this kind of property to these Territories. On this he would only say, that the prohibition was their own, and for this prohibition they had already received their advantages. They of the North did not believe it was the right of the Southern States, under the Constitution, to carry this species of property to these Territories unless there was a statute there, either of Congress or of the people, establishing it. He was anxious that the people of the United States, and not an isolated Territory, should solve this problem; alluding to which, and his

own political course and that of his State thereon, Mr. Banks said,—

“I desire to say, Mr. Chairman, in reference to my own political course, that I have not heretofore advocated this policy on the part of Congress. In the local politics of my own State, I have sustained the policy I thought best adapted to promote its welfare. In national politics, I have supported the policy of the Democratic party. I advocated the annexation of Texas in 1844. I supported the doctrines of the ‘Nicholson’ letter in 1848, that Congressional legislation was unnecessary to exclude slavery from the Territories of New Mexico and California. I ‘*acquiesced*’ in the adjustment measures of 1850. But I go no farther in that direction. I will stop where I am. I will begin no new crusade until I know where it is to end. It will not be expected of me that I should defend every legislative act of my native State. She needs no defence. Massachusetts is a progressive and just Commonwealth. Whatever has been wrong in her policy she has labored to reform. And whatever remains of that character she will have wisdom and strength to remodel and change. She has been wise and patriotic in her day, and will, I trust, still retain her high position in the column of free States as time advances.”

He held that the just cause of complaint was with her, and not with the States that condemn her course on the Slavery question. He complained that Government was changed from its original purposes, not merely to a recognition, but to a propagandism, of slavery. Every question of finance, trade, foreign relations, elections of officers, or the enlargement of our boundaries, had been seized upon to strengthen and expand an institution unacceptable, if not offensive, to a vast majority of the American people.

He argued to prove the constitutionality of the Missouri Compromise of 1820, and said that although the bill before the House admitted the right of the people to govern themselves, it practically denied them the power to do so.

In July (17th) of the same year, Mr. Banks supported an amendment offered by Hon. Mr. Staunton, of Kentucky, for the repeal of all laws authorizing the appointment of military officers to superintend operations at the national armories, and the appointment of well-qualified civilians to such offices.

The armories at Springfield and Harper’s Ferry were established, upon the recommendation of General Washington, in 1794.

The only officers provided for by the Act of April 2 of that year were a superintendent and one master armorer for each establishment.

Until 1841 the superintendents were elected from among citizens; and the change was then made by Mr. Bell, at that time Secretary of War, because there were officers of the army who had no employment.

Mr. Banks was in favor of the abolition of military supervision, because the armories were not military, but mechanical, establishments. He did not see any more connection between the manufacture of arms and the military departments of Government, than between the manufacture of the cloth for uniforms, or of the paper on which the bulletins were printed, and the same departments. He showed that the Government wanted officers, and they were not wanted at the armories. In reply to inquiries by Hon. L. M. Keitt, of South Carolina, the gentleman from Massachusetts took the ground that the substitution of military men for civilians educated to the business was not economical, and instanced in favor of his position the course pursued by England, showing that its great military depots and magnificent steam navy were not the creations of military or naval officers, but of practical artisans and ship-builders.

Hon. Wm. S. Barry, of Mississippi, seized an opportunity on the 18th of December, 1854, to avow his opinions relative to what, "in common parlance, was called Know-Nothingism," then recently sprung into existence. He had some difficulty in finding out the purposes and character of the new society. It was not like other political organizations here, avowing principles, and meeting and daring the responsibility of the avowal; and if, in attempting to find out the purposes of the Order, Mr. Barry did it injustice, he desired to be corrected by any members holding the new faith. He was willing and anxious to be supplied with the information. What he knew of it led him to condemn it as intolerant, offensive, and tending to narrow the liberty of man.

On the same day, Mr. Banks replied to the gentleman from Mississippi; and his speech is regarded by his friends as one of his best and most prominent Congressional efforts.

Although Mr. Banks was not altogether prepared to participate in such a debate, so suddenly called up, yet he did not

regret its introduction, as the subject embodied the great questions of government, touched the fundamental rights of the people of this Union, and went to the heart of every nationality on the face of the earth. He started by taking issue with Mr. Barry on the proposition that a man in the United States was bound to promulgate his political views. The Government springs from the people, is republican in its nature; and Mr. Banks held that no man who discharges his duty as a member of the social compact, and, according to the forms of law, impresses his convictions upon the political institutions under which he lives, is accountable for his actions or opinions to any other man. He is not even accountable to the Government. He is accountable to God alone. A citizen voting for President, or any officer of delegated trust, has the right to give his vote in profound secrecy.

The association spoken of, he said, was composed of people of the United States. It was popular in its nature, and every citizen had a right to join what society he pleased. After discussing the *right* of secrecy, though he would not say he approved of it, Mr. Banks said he had no objection to any man of the Catholic Church or faith:—

“It cannot concern me,” said he, “and it can concern no man, that, as a matter of faith, any person cherishes the doctrine of transubstantiation, accords the full measure of Catholic veneration to sacred relics or images, and accepts every article of the Nicene Creed. Each man is accountable for his own faith, as I for mine.”

It was a current belief, however, that the Pope, as vicar of God, had temporal control over the allegiance of his spiritual followers. He was aware it was disputed ground. It was asserted in England under Henry VIII. and Elizabeth, and was never disavowed there, nor in Spain, nor in any other land, Catholic or Protestant, by the authority of the Roman Church. If the Pope had such power, it was not strange that men should hesitate to support his followers. “I,” said Mr. Banks, “would not vote for any man holding to that doctrine.” He had no enmity to foreigners; but if they understand that their interests are separate from those of American citizens, if they take direction from their spiritual guides in political matters, they have no claim for support. He would not stop the tide of immigration; but the pros-

pect was that such people as the Chinese would pour in, like swarms of locusts. There may be uses for them in the economy of God's Providence, but they had not a Christian character adapted to the nation. "Would you," he asked, "endow them with citizenship at the end of five years?" Mr. Banks held that the Constitution was proscriptive, even when immigration did not attain more than fifty thousand in ten years. Its framers unanimously declared that, after a brief period, no man but a native could be President; that nine years' citizenship should be required for eligibility to the United States Senate, and seven to the House of Representatives. They took from the States the power to confer citizenship, which the States then exercised. "There is nothing," he continued, "to show that they entertained the idea advanced here, that foreigners had a *right* to participate in the highest prerogatives of the Government." He was not for the repeal, but for the revision, of the statutes of naturalization, and was not sure but that an extension of the term of residence to twenty-one, twelve, or ten years, would be justified.

Hon. Lawrence M. Keitt, of South Carolina, made a very able speech (January 3) in reply to Mr. Banks, and in review of his positions on "American" politics, religious toleration, and "Know-Nothingism;" from which, however, but a brief extract, on a point of considerable historical interest, can be made:—

"Are Catholics under civil subjection to the Pope, as the member from Massachusetts intimated? What is there in the Catholic creed to warrant this imputation? In 1789, Mr. Pitt, then Prime Minister of England, before he would relax the disabilities of the Irish Catholics, propounded to the great Catholic universities the following inquiries:—

"1. Has the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome, any civil authority, power, jurisdiction, or pre-eminence whatsoever, within the realm of England?

"2. Can the Pope, or Cardinals, or any body of men, or any individuals of the Church of Rome, absolve or dispense his majesty's subjects from their oath of allegiance, upon any pretext whatsoever?

"3. Is there any principle in the tenets of the Catholic faith, by which Catholics are justified in not keeping faith with heretics, or other persons differing from them in religious opinions, in any transaction, either of a public or a private nature?"

"The Universities of Paris, Louvain, Alcala, Douay, Salamanca, and Valladolid declare that neither the Pope, Cardinals, nor any individuals in the Catholic Church have any civil authority; nor can they dispense

with an oath; nor are Catholics justified in not keeping faith in any transaction, either of a public or private nature.

"Thus it will be seen that all the Universities promptly and unequivocally declared that Catholics were under no civil or temporal subjection to the Pope. The Catholic Bishops in Great Britain, in the year 1826, declared that 'No power in any Pope or Council, or in any individual or body of men invested with authority in the Catholic Church, can dispense with any oath by which a Catholic has confirmed his duty of allegiance to his sovereign, or any obligation of duty or justice to a third person.' " *

Hon. J. R. Chandler, of Pennsylvania, also reviewed and replied to Mr. Banks, on the "current belief" touching the disability of Catholics to be good citizens, owing to spiritual interference in temporal matters. An effective point was his quoting from the late Dr. England, the justly-esteemed Roman Catholic Bishop of Charleston, who said, "We deny to Pope and Council united any power to interfere with one tittle of our political rights, as firmly as we deny the power of interfering with one tittle of our spiritual rights to the President and Congress." He also alluded to the fact that "kings and emperors of the Roman Catholic Church have frequently been at war with the Pope. Yet they did not cease to be members of the Church, and subject to his spiritual jurisdiction, although they resisted his war-like attacks."

The first session of the Thirty-Fourth Congress commenced on the 3d of December, 1855. The opening of this Congress was unprecedented in parliamentary history in the excitement preceding the election of a Speaker. For nine weeks the organization of the House of Representatives was protracted by the dogged obstinacy of party men, the complications of party views, and the manœuvring of party leaders. The year had been fruitful in political disasters to all parties, as distinctly recognised by the people. Party principles had been invaded, disguised, or suppressed; party names had bowed to emergencies suddenly sprung upon politicians; and politicians had hurriedly bent the knee to clamors which they thought indications of popular will. Old-fashioned party men could scarcely recognise their isolation; and new-fashioned party men soon lost their definitiveness, or were unable to master or serve it, in the jumble that took place.

* Appendix to Cong. Globe, 2d Sess. 33d Cong. p. 68.

Thus, when the elements of the House of Representatives assembled in Washington, there was much machinery at work, of a bold though unobtrusive and elaborate though apparently impromptu nature.

The House was called to order by the Clerk of the previous House, John W. Forney, Esq., on the 3d of December, at noon; and until that able, eloquent, and fearless gentleman vacated the position of presiding officer, on the 2d of February following, a succession of scenes of the most exciting importance took place on the one hand, while on the other, all the business of the session requiring the co-operation and concurrence of the House was suspended. The complexion of the candidates put in nomination for the Speakership is thus truly reflected: William Richardson, of Illinois, Democrat; Lewis D. Campbell, of Ohio, Free-Soiler; Nathaniel P. Banks, of Massachusetts, Republican and Know-Nothing; Humphrey Marshall, of Kentucky, Democrat and Know-Nothing; and Henry M. Fuller, of Pennsylvania, Whig and National Know-Nothing. To these may be added, as prominently brought out during the struggle, Alexander C. M. Pennington, of New Jersey, Republican; James L. Orr, of South Carolina, moderate Southern Democrat; and William Aiken, of South Carolina, ditto.

Campbell rose to 81 votes, and withdrew on the 7th of December. On the 19th, Fuller, making an explanation, said he would have voted against the Kansas-Nebraska Bill had he been in Congress, and that he would admit Kansas without reference to the admission or prohibition of slavery. A member from Pennsylvania declared that if he had known those to be Mr. Fuller's views, he would sooner have cut off his arm than have voted for him, and "all his Free-Soil adherents at once deserted him." On the 24th of January, Richardson withdrew, having reached 122 votes, and the Democrats brought out Orr. Banks soon led the anti-Democrats. On the first ballot, he received but 21 votes; but in a few days he rose to 86, to 100, on the 11th of December to 107, and remained close upon that vote until the finale.

On the 11th of January, the House resolved to put test-questions to the candidates, in reply to which Mr. Banks defined his position with great force and clearness.

He did not regard the Kansas-Nebraska Bill as promotive of

the formation of free States, inasmuch as it repeals the prohibition of the institution of slavery over the sections of the country to which that statute applies.

He believed in the constitutionality of the Wilmot Proviso,—that it is within the power of Congress to prohibit slavery in a Territory of the United States.

He did not believe that the Constitution carried slavery into the Territories. He based his view on Webster's declaration, that even the Constitution of the United States itself does not go to the Territories until it is carried there by an act of Congress; that Congress was wrong in repealing the Missouri restrictions of 1820; and that he was in favor of restoring the Missouri restrictions.

In reply to a query of Mr. Barksdale, of Mississippi, touching the races, Mr. Banks, so far as he had studied the subject, believed the general law to be, that the weaker is absorbed. "Whether," said he, "the black race of this continent, or any other part of the world, is equal to the white race, can only be determined by the absorption or disappearance of one or the other; and I propose to wait until the respective races can be properly subjected to this philosophical test before I give a decisive answer." This, of course, elicited roars of laughter.

A motion to elect a Speaker by a plurality of votes had been negatived; but, weary with the struggle, it was agreed on the 2d of February that if, after three balloting, they should fail to elect, the one having the greatest number of votes should be declared Speaker. Mr. Orr then withdrew, and was replaced by his colleague, Mr. Aiken. Mr. Fuller withdrew also; and now the certainty of terminating the terrible struggle led to an anxiety, an excitement, and a personal and political fervor more intense than ever. The result on the last (the 133d) ballot—according to the rule adopted—was, N. P. Banks, 103; W. Aiken, 100; and 11 scattering votes. And thus these marvellous scenes terminated with the election of the member from Massachusetts as Speaker, and his being escorted to the chair by a committee of the leading rival candidates. After thanking the House for the honor conferred, Mr. Banks said,—

"I have no personal objects to accomplish. I am animated by the single desire that I may in some degree aid in maintaining the well-esta-

blished principles of our Government in their original and American signification; in developing the material interests of that portion of the continent we occupy, so far as we may do so within the limited and legitimate powers conferred upon us."

During the two months which were occupied in the attempt to select a Speaker, the Clerk of the previous House, John W. Forney, Esq., was the presiding officer; and the historical importance of the period renders it becoming and necessary to make more than a mere allusion to the manner in which he performed the duties of his office. Those who will peruse the official record of the struggle above indicated cannot fail to be struck with the prompt energy, the elevated but respectful dignity, and the clear analysis of complications growing out of the exigencies of the hour, exhibited by Mr. Forney. His decisions always met with the concurrence of the House; and when it is considered that in addition to his arduous duties as presiding officer—demanding all the alertness of his intellect and all the endurance of his body—he had also to keep the Clerk's department in working order with official precision, and at the same time conduct and write editorials for the Government organ, the *Union*, of which he was the chief, some idea of Mr. Forney's force and energy may be arrived at. Conflicting as his position in the House and that in the *Union* was, and liable as his articles in the one were to be made the subject of attack or denial by the Opposition in the other, it is gratifying to remark that he conducted himself with such a delicate and manly sense of his own strength that he received from all sides tokens of approbation. His impartiality drew from Marshall, of Kentucky, Harrison, of Maryland, Paine, of North Carolina, Trafton, of Massachusetts, Campbell, of Ohio, and other prominent members of the Opposition, tributes of esteem; and after Banks was sworn in, a resolution of thanks was unanimously passed to Mr. Forney "for the distinguished ability, fidelity, and impartiality with which he has presided over the deliberations of the House of Representatives during the arduous and protracted contest for Speaker which has just closed."

Gentlemen of all sides of politics accord to Speaker Banks the fullest meed of approbation for his conduct during his term of service in the eminent position to which fortune—aided or made by his own judgment, tact, and will—had elevated him. It is

conceded that he possesses in a very remarkable degree the qualities necessary for a presiding officer; and the celerity and precision with which he despatched the business of legislation have been the subject of earnest commendation by gentlemen who, though differing from him in politics, benefited by his knowledge of parliamentary rules and the promptitude with which he made them paramount. His self-possession is a striking feature of his character. A close observer narrates the following:—

“While on the subject of his non-committalism, I cannot help telling an instance related to me by a member of Congress who suffered from its effects. This gentleman wanted to obtain from Mr. Banks the chairmanship of an important committee as an equivalent for his vote for him as Speaker. Pending the Speakership contest, therefore, he waited upon Mr. Banks, beginning as follows:—‘Mr. Banks, you know I have no objection to your being Speaker, but your election hangs on my vote. Now, I suppose you will understand me when I tell you I shall not vote for Mr. —, [the Opposition candidate,] for I don’t believe he will place me on any committee worth serving in. What do you think of that?’ Mr. Banks, having heard the statement and the interrogatory, remained quiet a moment, as if collecting his thoughts for an important proposition; but after a preliminary clearing of his throat, and with an air of grave astonishment, he only responded, ‘Mr. —, is it possible?’ It is needless to say that the applicant transferred his suggestion and his support to another quarter.”

In proof of the fairness which characterized his decisions, a writer in *Harper* instances the fact that a Democratic member from Georgia, in advocating the vote of thanks with which Speaker Banks was honored on the last day of the session, eulogized his impartiality in reference to the sectional struggles of the House, with the remark that Mr. Banks “stood so straight that he almost leaned over to the other side.”

In the fall of 1856, Speaker Banks made a great speech in Wall Street, New York, by invitation, and advocated Fremont for the Presidency.

In the recess after the Thirty-Fourth Congress, and during the financial crisis, Speaker Banks delivered a speech in Faneuil Hall on the absorbing topic of the day, and, in view of the sufferings of working-people in consequence of being paid in paper money, advocated the reimbursement of labor with specie, and believed the time not far distant when the small notes given in

compensation for labor—and of which there were fifty millions of fives and under in circulation—would no longer exist; but gold and silver, in the hands of the working-classes, would give “stability of a solid character to our currency.” The general view presented was of a hopeful nature, and tended to prove that the universal disability of the times would be but temporary. He based his conclusions on the facts that the agricultural crop was estimated at a value of two thousand millions of dollars, and the product of manufacturing industry at about fifteen hundred millions.

He took his seat in the Thirty-Fifth Congress, and opposed the Treasury Note Bill, on the ground that it was the opinion of all statesmen that a resort to a loan in the form of Treasury notes was a matter of doubtful expediency and of dangerous character; that Government should not have recourse to such means unless it had ascertained that necessary relief could be obtained in no other way, as it did in 1837, '41, '42, and '46; and that, further, it was his belief that the country was richer than ever, and had more gold and silver coin in it than at any time when the Treasury Note question had been presented. In the debates on its merits, he persistently combated the bill, of which Messrs. Glancy Jones, as Chairman of the Committee of Ways and Means, G. B. Adrain, of New Jersey, and Letcher and Smith, of Virginia, were the prominent supporters.

Mr. Banks also strenuously opposed the passage of the preamble and resolutions directing the Committee on Territories to inquire into the propriety of excluding the delegate from Utah. The preamble gave the reason, by stating that, judging from Brigham Young's proclamations as well as from the President's Message, Utah was in open rebellion. Mr. Banks reminded the House that the President's Message said, “Unless he (Young) should retrace his steps, the Territory of Utah *will be* in open rebellion.” He was willing to aid the proposer of the resolution, Mr. Warren, of Arkansas, in any legitimate course touching Utah; but he protested against assaulting the rights of a delegate or a member from a State except upon a statement of facts touching his direct acts as a member.

Having been elected Governor of Massachusetts in November by a plurality of twenty-four thousand, Mr. Banks resigned his

seat in the House of Representatives, (24th of December,) and ascended the Gubernatorial chair of his native State. To this position he did such honor in the eyes of his fellow-citizens, that they re-elected him the following year; and he will probably be retained in the dignity of this office, as at the Republican State Convention, which met at Fitchburg on the 20th of September of the present year, he received, on the first ballot for nomination for Governor, 627 out of the 712 votes, and was afterward nominated unanimously. The resolutions passed by the Convention—which may be taken as the latest definition of the principles upon which Governor Banks is not only before Massachusetts, but the Union—declare that the Republican party was originated in opposition to the slave power, and is necessary for the preservation of State rights; and denounce the Buchanan Administration for extravagance, for truckling to the slave power, for allowing the reopening of the slave-trade, and for refusing protection to naturalized citizens.*

Governor Banks occasionally, as is usual with gentlemen whose recognised talents and position give dignity to public celebrations, has addressed meetings and societies on occasions of historical interest. Among his latest efforts in this line may be mentioned an eloquent address on the laying of the corner-stone of the national monument in commemoration of the Pilgrims, and that of the canopy designed to cover the "Forefathers' Rock" at Plymouth; and his still more recent speech at the inauguration of Powers's statue of Daniel Webster, on the two hundred and twenty-ninth anniversary of the settlement of Boston.

The acquirement of suitable and various knowledge has kept pace with the progressively successful career of Governor Banks. He has made himself acquainted with the chief languages and literatures of Europe, and is an earnest and assiduous student; all his spare time being devoted to his farm and his books, in the heart and home of his family, in his native town of Waltham.

* Since the above was written, Governor Banks has been re-elected.

EDWARD BATES,

OF MISSOURI.

ALTHOUGH Mr. Bates has served but one term in the United States Congress, and that more than a quarter of a century ago, his name and counsel are dearly prized by those who have abiding faith and hope in the principles of the Whig party. He is one of the most distinguished citizens of the State of Missouri, and, as De Bow's Review* observes, a man who has been active in the cause of Western progress and improvement; who presided over the deliberations of an important convention held in the Northwest for their promotion; and who, for his high and liberal views, enjoys a reputation in this particular second to none on that side of the mountains.

Edward Bates is a Virginian by birth, having been born in Goochland County, the 4th of September, 1793. His family is of the plain Quaker stock, which for several centuries dwelt in the low countries between James and York Rivers. His ancestors came from the west of England to the Jamestown settlement in 1625, about eighteen years after Bartholomew Gosnell had made his second and successful expedition for its colonization, and brought with him Captain John Smith, of ever-famous memory. The descendants of the Bates settlers remained in this region until the war of the Revolution, when the younger branches, taking up arms against the king, forfeited, as did Nathaniel Greene in Rhode Island, and others, their membership in the peace-loving Society of Friends. If, however, they were disowned by the "Friends," they found a host of other friends in the country. Among those who took up arms were Thomas Fleming Bates, the father of Edward, and several of his uncles.

Thomas Fleming Bates was a man of fair talents, had a store

* To which I am largely indebted in the preparation of this sketch. Vol. xii., New Orleans, 1852.

of practical information, and was educated to habits of business in one of the best mercantile houses in the colony. In proof of his capacity, it may be stated that he was several times sent to England, Spain, Portugal, and Madeira, as supercargo and purchasing agent.

About the period of the Revolution, believing himself in comfortable circumstances, he settled up his accounts in Henrico (or Charles City) County, and moved to a new plantation on James River, in Goochland. He soon discovered that his claims and book-accounts were of no value, the times were so out of joint, and the Continental money so depreciated. To add to his dilemma, the British army, in one of its marches, destroyed his plantation. His heart, however, was not a broken bank. Like all of the strong and sturdy men whose disinterestedness and devotion made what the Annual Register called the "Rebellion in America" a war of independence, Mr. Bates was above personal despondency; and, despite his Quaker coat, he was a soldier and a Whig.

It is related of him that when the British army was encamped on his plantation, and the lower story of his house occupied for twenty-four hours as head-quarters, he was called into the presence of Lord Cornwallis, and there a written protection was handed to him by an aid-de-camp. He read it deliberately, and reflected sorrowfully on his wife and six young children, who had been ordered to the upper apartments. He rapidly considered their claims on his safety, but more seriously thought of the disgrace he would bring on them by accepting a protection that would compromise his patriotism, and, folding the paper into a narrow slip, thrust it among the burning coals in a chafing-dish standing on the hearth to furnish his lordship's tea. In his mind's eye he beheld certain arrest, and the prison-ship, awaiting him as the result of his course; yet he pursued it. Cornwallis, in a spirit inspired by that of his Quaker prisoner, with a calm countenance, only said, "Mr. Bates, would to God that you, and all such men as you, were loyal subjects!"

A few months subsequent, our Quaker was a volunteer soldier in the ranks under Lafayette, and at Yorktown, October, 1781, witnessed the surrender of Lord Cornwallis and his army. His son Edward has the gun with which his father helped to bring

about that result, "still as good a deer-gun as can be found." At the close of the war the British debts of Bates remained, and they sufficed to break up his worldly prospects. He died in May, 1805, leaving no estate, but a widow, five daughters, and seven sons, Edward being the youngest of the twelve children.

Thus left an orphan, Fleming Bates, of Northumberland, Va., one of his brothers,—all of whom were industrious, prospering, and generous men,—took Edward in charge. He sent him to Charlotte Hall Academy, Md., "a very good school for boys who were anxious to learn, but a very poor one for those who required compulsion," where he attained, among other things, the elements of mathematics, with some knowledge of the Latin and French languages. An accident unfortunately broke off his regular course of study; and, having fractured a leg-bone, he was obliged to return to his brother's, to suffer a painful confinement of nearly two years.

In this state he found solace in a good library and writing-materials at discretion. Without advice or assistance to guide either his taste or judgment, he plunged into the books, devouring every thing that bore the name of poetry, from Homer and Shakspeare down to Peter Pindar, and all manner of histories, from "Weems's Revolutionary Worthies" up to Livy and Herodotus; allowing his hand also to run a race with the acquirements of his head, scribbling with a ready and unresting quill. In this way he accumulated a heterogeneous mass of ideas, and fused them into shapes of his own unguided moulding.

Looking forward from boyhood to the sea as his business in life, his kinsman, James Pleasants, then the representative in Congress of his native district, procured for him, in the winter of 1811-12, the promise of a midshipman's warrant; but the tears of his mother overcame his boyish ambition to win fame in the threatened war with England, and he renounced the sea. On the other hand, he now prepared to turn his steps far inland, and go to St. Louis, at the invitation of his brother Frederick, and study law. But he was not quite rid of his warlike propensities. Just as he was getting ready to start for the West, in the winter of 1812-13, a British fleet made its appearance in the Chesapeake, and troops were called for the defence of Norfolk. Enrolling himself in a company of volunteers, he marched to Nor-

folk, was a sergeant in Captain Hopkins's infantry, and for six months ate the public rations there, rendering no particular service, save aiding in the digging of several broad ditches.

In the spring of 1814, he went to St. Louis. A few years earlier, the surrounding region is described as a howling wilderness, inhabited only by wild beasts and merciless savages, and St. Louis, as a small town, its inhabitants consisting almost wholly of French and Spanish settlers, who were engaged in trafficking with the Indians the commodities of civilization, such as fire-water, beads, blankets, arms, ammunition, &c., for peltry.*

When Bates arrived at St. Louis, it had about two thousand inhabitants, chiefly French, who discountenanced the settlement of Americans among them, as they considered it an invasion of their monopoly of the traffic with the Indians. The Indians, too, thinking themselves better dealt with by the French and Spanish, united with the latter in their hostility to the influx of the Americans.† From this period Mr. Bates has been identified with the growth of the great West.

He commenced the study of law in the office of Rufus Easton, the best-read lawyer at the bar, and a Delegate from Missouri Territory to Congress from 1814 to 1816. He applied himself with diligence, working fourteen hours a day for six days in the week, and in the winter of 1816-17 took out a license, and commenced the practice of the profession.

Several years of Mr. Bates's life were thus occupied, he also having attained, in the interim, various offices of trust under the Territorial Government. He was a member—the youngest but one—of the convention which formed the State Constitution, July 19, 1820, and successively Circuit (prosecuting) Attorney under the State Government, Attorney-General under the United States Government, and District Attorney for Missouri. Mr. Bates has likewise at different times served in both branches of the State Legislature, and for one term—from 1827 to 1829—represented the State in the United States House of Representatives in the

* Life and Adventures of James P. Beckwourth, Mountaineer, Scout, and Pioneer, &c. &c. Written from his own dictation, by T. D. Bonner. New York, 1856.

† Beckwourth.

Twentieth Congress. He was the friend of Henry Clay in the Presidential contest of 1824, and united with him in supporting the Administration and re-election of John Quincy Adams, and was elected to Congress as the friend of that Administration. He concurred also with Mr. Clay's general views on the subject of emancipation, and exemplified his principles by manumitting all his slaves and sending them to Liberia.

In May, 1829, he married Julia D., fifth daughter of David Coulter, formerly of Columbia, S.C., by whom he has had fifteen children, eight of whom survive.

In Congress he was opposed to the occupation of Oregon, considering, says De Bow's Review, that country essentially foreign, and the occupation of it by the United States the entering wedge to a system of foreign colonization, conquest, and domination. Then we had no railroads and telegraphs, which at this day have for many purposes annihilated both time and space. He was, from beginning to end, against the Mexican War, and the acquisition of Mexican territory by either arms or money, and expressed his ideas on the subject in the St. Louis papers. The writer in "De Bow," January, 1852, acknowledges the receipt of a recent letter from Mr. Bates, in which he says,—

"Were it not proved by constant experience that the currents of social life often drift men into courses quite opposite to those they attempt to steer, I should be astonished to find myself, in some sort, a public man, in spite of my efforts to the contrary. In youth I was ambitious, and sought distinction with some avidity. But the popular storm which blew General Jackson into the Presidency blew me out of the track of public life. In the canvass for a second term in Congress, I was so thoroughly beaten that I was content, as the Kentuckians say, to 'stay whipped,' and never again to worry myself with the attempt to climb the slippery heights of politics. Thenceforth I looked only to professional labor for the means of supporting and educating a numerous family, and to the domestic circle for all my enjoyments. A practice of more than twenty years in this scheme of life has destroyed whatever of appetite I may once have had for public distinction; and now all I desire is, (I hope it is in my reach,) for my children the means of education, and a fair start in life, and for myself the quiet esteem of good men."

Mr. Bates had devoted himself so exclusively to his profession for the last thirty years that he was little known out of Missouri

when the Internal Improvement Convention met at Chicago, in 1847. That convention is now chiefly memorable from the opening speech made by Mr. Bates, as its presiding officer, in which, in striking contrast with the brief, non-committal letters of Mr. Cass and other political aspirants, he explained and enforced at length his views of the duties imposed by the Constitution upon the Federal Government to execute great national works for the development of the country. The convention was large, and embraced persons of all shades of political opinion; but all were impressed with the wisdom, integrity, and patriotism of their president, and returned to their homes commending him for those high qualities, as well as for his eloquence and dignified manners. Efforts were then renewed to bring him again into political life; but he could not be induced to allow his name to be presented for political station in Missouri, and he declined a seat in the Cabinet at Washington, tendered him by Mr. Fillmore.

Mr. Bates has been an occasional writer for the public press, chiefly on political topics, and those, for the most part, such as concerned the interpretation of the Constitution.

In February of the present year, (1859,) the New York "General Whig Committee," in conformity with a resolution of that body, addressed Mr. Bates on the inexpediency of agitating the Negro question, and the desirability of turning public attention to topics of general importance, such as foreign relations, territorial extension, building of railroads for national uses, harbor-improvements, river-navigation, the currency, the tariff, "and other means of developing our own internal resources" and fraternally binding together the sections of the Republic. The committee requested Mr. Bates's opinion on the subject, and his views on the signs of the times. He complied with the request; and his reply was deemed of great value, as the "interesting and dispassionate" view of one of the most conservative and prudent political counsellors in the country.

The able gentleman prefaces this "definition of his position" by stating that his opinions, right or wrong, are his own, and do not belong to this or that party, ready to be abandoned or modified to suit a platform; they were deliberately formed in the

retirement of private life, free from the exigencies of official responsibility and from the perturbations of party policy.

He believes, as he has often declared, the Negro question to be a pestilent question, "the agitation of which has never done good to any party, section, or class, and never can do good." He considered it a dangerous vortex, into which good men are drawn unawares; but when he beheld a Northern or Southern of mature age and some experience persisting in urging the question, after the sad experience of the last few years, he could attribute his conduct to no higher motive than personal ambition or sectional prejudice.

He did not, and would not, doubt the power and duty of Government to raise taxes when necessary for the protection of the country and the prosperity of the people. A Government that has not such a power is a weak, poor, impotent Government, and not at all such a Government as our fathers thought they had made when they produced the Constitution. "The people do not derive their right from the Government; but the Government derives its powers from the people; and those powers are granted for the main, if not the only, purpose of protecting the rights of the people. Protection, then, if not the sole, is the chief, end of Government."

As to foreign policy, Mr. Bates avows himself "not much of a progressive, being content to leave it where Washington placed it,—upon that wise, virtuous, safe maxim, 'Peace with all nations, entangling alliances with none.'" He has little sympathy with the greedy and indiscriminate appetite for foreign acquisition which makes us covet our neighbor's lands and devise cunning schemes to get them. To him it appeared as a sort of political gluttony, as dangerous to the body politic as gluttony is to the natural man, producing disease certainly, hastening death probably. The case of Louisiana was different. "Louisiana was indispensable to our full and safe enjoyment of an immense region which was already owned; and its acquisition gave us the unquestioned control of that noble system of Mississippi waters which Nature seems to have made one and indivisible." He does not believe that the United States is not an independent and safe nation because Cuba is not a part of it. On the contrary, he thought we could defend ourselves if it belonged to

England, France, or Russia, much less to a feeble power like Spain. "In fact," says Mr. Bates, "I cannot help doubting the honesty of the cowardly argument by which we are urged to rob poor old Spain of this last remnant of her Western empire, for fear that she might use it to rob us."

Neither does Mr. Bates agree with Senator Slidell's projects attached to the Thirty-Million Bill, nor with Senator Houston's plan of a protectorate over Mexico. He says,—

"A leading Senator has lately declared (in debate on the Thirty-Million Bill) that we must not only have Cuba, but all the islands from Cape Florida to the Spanish Main, so as to surround the Gulf of Mexico and Caribbean Sea, and make them our '*mare clausum*,' like the Mediterranean in old times, when the Roman Emperor ruled both its shores, from the Pillars of Hercules to the Hellespont. This claim of *mare nostrum* implies, of course, that we must own the continent that bounds *our sea* on the west, as well as the string of islands that enclose it on the east,—that is, Mexico, Central America, and all South America, so far south, at least, as the Orinoco. In that wide compass of sea and land there are a good many native governments and provinces belonging to the strongest maritime Powers, and a narrow continental isthmus which we ourselves, as well as England and France, are wont to call the *high-way of nations*. To fulfil the grand conception and perfect our tropical empire, we must buy or conquer all these torrid countries and their mongrel populations. As to buying them, it strikes me we had better wait a while, at least, until the Government has ceased to borrow money to pay its current expenses. And as to conquering them, perhaps it would be prudent to pause and make some estimate of the costs and contingencies before we rush into war with all maritime Europe and half America.

Supposing that we possessed the whole country, continental and insular, from the Rio Grande to the Orinoco and from Trinidad to Cuba, he doubts whether we could govern it wisely. The attempt to govern Kansas and Utah has neither maintained the dignity of the nation nor secured the prosperity of the subject people. How, he asks, can we do better with the mixed races of those countries, some of which for fifty years have in vain sought to establish republican governments on our model? He would grieve to see his country, like Rome, become a conquering and dominant nation; nor was he willing to inoculate our body politic with the hereditary diseases, social and political, of the mixed races alluded to.

Mr. Bates severely reviews the present Administration, with no malice against Mr. Buchanan, but because "of the dangerous change which is now obviously sought to be made in the practical working of the Government,—the concentration of power in the hands of the President, and the dangerous policy, now almost established, of looking abroad for temporary glory and aggrandizement, instead of looking at home for all the purposes of good government."

The rapid increase of public expenditure presented to him an alarming sign of corruption and decay, as he did not see that it bore any fair proportion to the growth of the country, but looked rather like wanton waste or criminal negligence:—

"The ordinary objects of great expense are not materially augmented; the army and navy remain on a low peace-establishment; the military defences are little, if at all, enlarged; the improvement of harbors, lakes, and rivers is abandoned; and the Pacific Railroad is not only not begun, but its very location is scrambled for by angry sections, which succeed in nothing but mutual defeat. In short, the money, to an enormous amount, (I am told at the rate of \$80,000,000 to \$100,000,000 a year,) is gone, and we have little or nothing to show for it. In profound peace with foreign nations, and surrounded with the proofs of national growth and individual prosperity, the Treasury, by less than two years of mismanagement, is made bankrupt, and the Government itself is living from hand to mouth on bills of credit and borrowed money!"

In conclusion, Mr. Bates felt there was reason to fear that some of his ideas were "so antiquated and out of fashion as to make it very improbable that they will ever again be put to the test of actual practice." This personal platform, and the policy indicated, were received with much enthusiasm by those who hope to reconstruct on them the old Whig party.

The passages in this letter which express the writer's regret at the existing agitation of the Slavery question have been construed by the pro-slavery party to reflect on their opponents, and some of the Republican journals have admitted this construction; but such obviously was not intended. He could not reflect upon the Republican party without stultifying himself; for he openly advocates every principle of the Philadelphia platform, and the restoration of the Government to the policy of its founders with respect to slavery.

The agitators denounced by Mr. Bates are those who repealed the Missouri Compromise and "inaugurated the new policy of slavery-extension." This appears also by his letter, dated St. Louis, August 20, 1859, to the Memphis Convention, wherein he urges the Opposition in the South to co-operate with the Republicans, which is as follows:—

"It pleased me very much, gentlemen, to find that you designate the band of patriots who have lately done the good work in Tennessee as the '*Opposition Party*.' The name implies that the party is made up of the good men of other parties,—Democrats, Whigs, Americans, Republicans,—all who can no longer brook the wild extravagance and wanton disregard of principle in an Administration and a party which, emboldened by former unmerited success, vainly imagine that they 'can afford to disregard the censures of the world,' and to despise the judgment of history. The party in office (I will not say in power) is of itself a weak and helpless minority. It has no chance of renewed success but the hope (I trust a vain and fallacious hope) that *we* will be so unwise and unpatriotic as to waste our strength in party bickerings about old party names and subordinate questions of policy and convenience, and to split up our forces into sections, as if for the very purpose of enabling our inferior enemy to beat us all in detail. If we be so unwise as that,—if we allow the adversary to form the plan of our campaign, to marshal our troops, to tell us when to march, where to camp, and how to fight,—of course we shall get what we earn and deserve,—defeat; and we shall add to the humiliation of defeat the sting of shame, in the consciousness that we had in our hands the means of victory and the assurance of the peace and prosperity of the nation, but wantonly threw them away. Your recent victory, (in Tennessee,) and similar successes in other Southern and Western States, embolden me to hope for the like good result all over the Union. The spirit of conservative patriotism is aroused throughout the nation by the dangerous misgovernment and bold innovations of the last few years; and, in view of the great national interests now in peril, a better feeling—a feeling of harmony and mutual confidence, of kind forbearance on minor points, of generous concession in favor of peace and unity—is visibly increasing in all the elements of the *Opposition*. Those who foster and advance that good feeling, and ripen it into cordial union, will be great public benefactors. Such union alone will constitute the victory without the necessity for another blow; for the Democracy, as now enervated and demoralized, will be no match for the united Opposition. And such a victory!—in which all, even the vanquished, will have cause to rejoice, because it will restore peace and harmony to the excited sections, law and order to the disturbed Territories, moderation and justice to the Government, and prosperity and

honor to the nation. Such, at least, is the earnest hope of your obliged friend and fellow-citizen,

EDWARD BATES."

One of Mr. Bates's latest appearances in public was in the shape of a short letter, which has met with much commendation from those who are in favor of enforcing the Sunday-laws. Many of our chief cities have been agitated by the question,—among others, St. Louis. To a meeting recently held there on the subject, he addressed the following letter:—

"I am very sorry to hear that there is any occasion for a popular demonstration to uphold an institution so ancient, so sacred, so lawful, and so necessary to the peace, the comfort, and the respectability of society. Its religious character, as a holy day, ought alone to be sufficient for its protection in a Christian community; but, that failing, surely the laws of the land, made for its security, ought to be as strictly enforced as the laws made for the protection of persons and property. Vice and crime are always progressive and cumulative. If the Sunday-laws be neglected or despised, the laws of persons and property will soon share their fate and be equally disregarded."

Mr. Bates has acquired a wide reputation in his State and the West as a ready, forcible, and eloquent speaker; yet, although he has been a public speaker for nearly forty years, there are none of his speeches in print. A few notes and sketches have been published; but he never wrote out a speech for the press. He has attempted it once or twice, upon solicitation, but never could satisfactorily recall the spirit that animated the oral delivery.

An authoritative exposition of Mr. Bates's views on the Slavery question has just been issued in his home organ,—the *St. Louis News*. His position, as thus expressed, embraces the views originally set forth by the Republican party at the Pittsburg and Philadelphia Conventions. It completely discountenances the more extreme characteristics of that party as at present known. It approves the Fugitive-Slave Law, and announces Mr. Bates as desirous of framing a new one if the present is unequal to the intention of its framers,—one which will have the desired effect. He would also enforce—if Congress passed—a law protecting slavery in the Territories: though he does not believe that the Constitution carries it into Federal territory.

He does not believe slavery a blessing; is glad that Missouri is becoming free; and thinks the National Government ought to encourage the colonization of free negroes, for the purpose of aiding such States as may desire to get rid of them. This document, it is thought, will strengthen Mr. Bates's position with the conservative men of the country, as being more broad and general in its character than the views propounded by the recognised leaders of either the Republican or the American party.

JOHN BELL,

OF TENNESSEE.

It has been observed by a writer in Tennessee, that, in consequence of the distractions which it is feared or hoped will nullify the efforts of both the leading parties, the political indications from all parts tend to the formation of a united Opposition; that "the conservative, Union-loving, law-abiding, and Constitution-observing people of the country are being fully aroused to the importance of a united and thorough effort to crush out sectionalism everywhere." At the head of this party it is proposed to place Mr. Bell, Senator from Tennessee, and long known as a public man, a ready and at times powerful debater, his mind stored with the resources acquired in official position, as well as much practical knowledge of political economy gleaned in the course of a prominent and active public career.

John Bell was born near Nashville, Tennessee, February 18, 1797, of parents who, though in moderate circumstances, bestowed upon him the benefits of a sound education at Cumberland College,—the present Nashville University. He chose the law as a profession, went through the usual studies, and at the early age of nineteen—in 1816—was admitted to the bar. He was no sooner before the people in the practice of his business than public life opened to him; and his political influence was acquired and recognised at a period of life when the majority of youths are but entering college. Settling at Franklin, Williamson County, he was elected a State Senator in 1817, when only twenty years old. A brief experience, however, enabled him to estimate properly this flattering testimonial to his youthful talents; and, after the first term of service, he judiciously declined a re-election, and retired to his profession, in the active practice of which he remained for the next nine years.

Entering the field against Felix Grundy for Congress, in 1826,

he achieved a signal and memorable success. It was Andrew Jackson's State; and Mr. Grundy was not only exceedingly popular on his own account, but was shielded by the influence and cheered by the support of the hero of New Orleans, then a candidate for the Presidency against the younger Adams. As may be imagined, the canvass was most exciting, and retains a place in the general political history of that day. It was carried on for twelve months; and Mr. Bell, in the face of the powerful odds against him, was elected, in 1827, by a majority of one thousand. He thus won on the people of his district successively elected Mr. Bell to the House of Representatives for fourteen years, during which period his name was prominently before the country in connection with the most important debates and measures.

He entered into national politics in a spirit friendly to General Jackson and John C. Calhoun; but he differed from both on their most favorite projects,—to wit, the removal of the bank-deposits in the case of the former, and the South Carolina doctrine of nullification of the latter. Mr. Bell was in favor of a United States Bank, but voted against its re-charter in 1832; in the first place, believing that the agitation of the subject at that time was conjured up to promote the defeat of General Jackson's chances in the ensuing Presidential election; in the second place, because it was four years before the old charter would expire; and again, because he was convinced the President would—as he did—veto the bill. His firm protest against the removal of the deposits was followed by as firm a refusal to vote for the resolution approving that measure; and thus the alienation of Mr. Bell from Jackson and the Democratic party was initiated.

At first Mr. Bell was energetically opposed to the protective system, and made a speech against it in 1832; but more extended reflection and study of the matter wrought a change in his opinions, and he has ever since, when the question has arisen, devoted his ability and influence to the support of the policy of protecting American industry. Mr. Bell has also advocated the improvement of the great rivers and lake-harbors, and opposed indiscriminate appropriations for "internal improvements" on roads and canals, except in an instance such as that of the Pacific Railroad. Opposing the nullification doctrine, he was appointed

Chairman of the Judiciary Committee of the House, with special reference to the questions connected with that subject which might have to be considered and reported on. He was also Chairman of the Committee on Indian Affairs for ten years.

Mr. Bell's secession from the Democratic and co-operation with the Whig party, which commenced with his refusal to vote for the removal of the deposits, was much accelerated by his election to the Speakership of the House of Representatives in 1834. Mr. Speaker Stevenson, having been appointed Minister to Great Britain, resigned the presiding chair of the House, and Mr. Bell was elected to succeed him, in opposition to James K. Polk. It was a great personal triumph for the successful candidate, and widened the breach already made; as Polk, besides being a Tennessean, was the nominee of the Democratic party and had the recommendation of the Administration. Those Democrats who were opposed to Van Buren as the successor of President Jackson joined with the Whigs in opposition to the Administration candidate, and thus secured the elevation of Bell to the Speakership of the popular branch of the National Legislature,—the third office of the Government. The principal ground of Mr. Bell's opposition to Mr. Van Buren was his strong disapproval of the system of removals from subordinate offices for merely political reasons,—a system which Mr. Van Buren had zealously promoted in the party conflicts of the State of New York, and which it was supposed he intended to carry out to its full extent in the administration of the Federal Government. Mr. Bell had vividly portrayed the tendencies of such an exercise of Executive patronage, in a speech in the House on the freedom of elections; and he had made frequent though ineffectual efforts, in successive Congresses, to procure the enactment of laws calculated to check the policy.*

The rupture between Mr. Bell and Jackson culminated in 1835, when the former completely threw off all allegiance to the latter by opposing Van Buren and declaring for Judge White as the Presidential successor. Tennessee had thus far gone with Jackson's administration; and it could scarcely be anticipated that the agitation of White and his associates could lift itself

* New American Cyclopædia, &c., edited by George Ripley and Charles A. Dana, N.Y. Vol. III.

into a stalwart opposition, or that, if it did, the personal and political influence of "the Great Chief" could fail to quell it. But the ways of the politician are inscrutable. White carried Tennessee by a large majority; Bell was re-elected to Congress—even from the Hermitage district—by as great a vote as before; and thus was commenced and fostered that opposition to the Democracy in that State, which so potently arrayed itself in the several succeeding Presidential elections, and which has so strongly manifested itself under the leadership of Mr. Bell in the recent elections there.

Mr. Bell favored the reception of petitions for the abolition of slavery in the District of Columbia, and in 1836 and 1838 distinguished himself in speeches upon that question.

In 1841, he went into the Cabinet of General Harrison as Secretary of War, but resigned in the autumn of that year, when Mr. Tyler—who had succeeded to the Presidency on the death of Harrison—separated from the Whig party. The next Tennessee Legislature, in consideration of Mr. Bell's consistency as a Whig, offered him the United States Senatorship; but he declined the honor in favor of Ephraim H. Foster, whose services to the Whig party Mr. Bell thought deserving of such eminent recognition. Foster was, therefore, elected; and Bell retired into privacy for nearly six years, when, at the desire of his county, he entered the State Senate, (1847.) The same year, a vacancy occurring in the United States Senate, he was elected to that office, and subsequently, in 1853, re-elected for the term which expired March 4, 1859.

In this national arena Senator Bell acquired large repute, and his position on the leading questions cannot be omitted from the history of the times. He favored the Compromise Measures of 1850, and desired to see the issues fully settled by a division of Texas into States. He opposed the Nebraska Bill, and on the 3d of March, 1854, gave his objections at length, and with such force as to draw replies from Senators Dawson, Douglas, and other leading advocates of the measure. Senator Bell had opposed the Nebraska Bill of the previous session when it contained no provision relative to the Missouri Compromise. He had not heard of any proposition to repeal the latter until it was offered in direct terms by Senator Dixon, of Kentucky. Mr.

Bell's first objection was, that there was no necessity for the measure. It was an anomaly to establish Governments to extend over immense Territories in which there was no white population whose wants required such Governments. He thought the demand for Territorial Governments should be proven in anticipation of an increase of population by emigration and other means; that provision ought to be made for the tribes beyond Wind Hills and in the Rocky Mountains; that information of the number of necessary military posts should be laid before Congress; and full details of this policy of extending the Government so far beyond the present limits of civilization. There were 300,000,000 acres in these Territories. They would support an empire. It was a magnificent idea to build up an immense empire; and he knew not which most to admire,—the genius or boldness displayed by Senator Douglas in the conception of, and the pressing of the measure to carry out, his grand idea. He thought the Senator from Illinois had for some time had a mania for establishing new Governments. He was the author of the New Mexico and Utah Bills, and also of Washington Territory. He had already laid the foundation of three powerful Governments, and now proposed to erect two more. Not content with the glory of being *Conditor Imperii*, the Senator was emulous of the fame of *Clarissimus—Conditor Imperiorum*. Mr. Bell's next objection arose out of the provisions touching the Indian tribes. Those Indians who had been carried to this Territory from east of the Mississippi had been guaranteed a home never to be surrounded by any Territorial Government. He had examined the bill, and held that, as it stood, it was a clear, explicit violation of the Indian treaties. In this connection, he condemned the course of those who made such ado about breaking faith with the African race, and did not say a word in behalf of the Indians. "The Wilberforces of the Senate," said he, "had no word of sympathy with any persons if they were not Africans."

In 1856, (May 27,) Senator Bell took a decided stand on the Mississippi River Bill, introduced by Senator Slidell, for the opening of the mouth of the Father of Waters. The bill, which had been vetoed by President Pierce, led to a warm discussion on its reconsideration. Mr. Toombs having taken a leading part against the bill and in favor of the veto, Mr. Bell

thought the Senator from Georgia commenced at the wrong point in attempting to prevent any appropriations for the removal of obstructions from the mouth of the river which concerns a large valley and the whole interior of the country between the Rocky Mountains and the Alleghanies, to say nothing of the navigation upon the lakes, between the ports of the Northeast and the Northwest. The expenditure of one, or even two millions annually in keeping open the great river, would be no more than an equivalent for the expenditures on the Atlantic coast.

"Sir," said Mr. Bell, "we have the Mississippi washing Tennessee on one extremity; we have the Cumberland running through our State to float off our heavy produce,—our cotton and tobacco. The Senator from Georgia will allow no improvement for the Mississippi River, because he thinks it unequal; and he alludes to the fact of Tennessee having spent \$10,000,000 in order to enable the people from the interior of that State to send their products to foreign markets, by making a connection with the Georgia roads. Georgia reaps a great benefit from that trade. Charleston shares a portion of it; but the greater benefit of it goes to Augusta and Savannah. We are forced to take our cotton to Savannah and Charleston, at an expense of two or three dollars a bale; when, if we could take it down the Mississippi, the cost would not be more than one dollar, or one dollar and twenty-five cents."*

In the Thirty-Fifth Congress, Senator Bell's course on the leading topics brought his name still more prominently before the country. In view of the recent success of the Opposition in Tennessee, it is interesting to know that the Legislature, early in 1858, passed resolutions instructing its representatives in Congress to vote for the admission of Kansas under the Lecompton Constitution. On the presentation of these resolutions to the Senate, Mr. Bell reviewed them at length with his accustomed piquancy, and justified his opposition to them. His colleague, Senator Johnson, replied, defending the instructions of the State Legislature; and, Mr. Bell taking exception to some of Mr. Johnson's remarks, a debate sprung up which occupied the whole of the 23d of February, 1858. Unpleasant results were anticipated; but, on the 25th, both gentlemen made personal explanations,—each evincing a spirit becoming the Senatorial character.

In the great Lecompton debate of March, 1858, Senator Bell

* Cong. Globe, 1st Sess. 34th Cong. p. 1310, &c.

still further, and in a very elaborate speech,—extending through the day and evening sessions of the 18th,—gave expression to his views in opposition to the measure. He addressed himself largely to the issues, doctrines, and arguments promulgated by Senator Toombs, which no man could pass unnoticed who took the views he did. The Senator from Georgia said in substance that it was a question of union or disunion; it was no sectional question, but one which concerned the whole country,—the North as well as the South. He proclaimed to the Senate that he had estimated the value of the Union. “With him,”—to use the language of Bell,—“it is a myth, a false idol; and he fears that the State of Kentucky, which my honorable and eloquent friend (Senator Crittenden) so well represents, has worshipped and loved, not wisely, but too well. He has brought the question to a point,—an issue which it becomes us all to ponder.” Mr. Bell had feared that there were such calculations as Toombs suggested, founded on the possible result of the question in debate; but he had no evidence of it before. A vague dread had been resting on his mind; but now he had to meet it as an admitted fact. It was placed before the country openly, boldly, directly; and he felt called on to notice it in every aspect to which his attention had been called by the Senator from Georgia. In a similar spirit of openness he investigated the question, and showed that the rejection of the Lecompton Constitution would not be a fit pretext for Southern men to agitate disunion; and that its acceptance would be an actual overturning of the fixed principles of our Government. On examining the question on every principle connected with the inalienable rights of the people, announced by the President and his principal supporters in the Senate, Mr. Bell could not discover that there was really any application for the admission of Kansas into the Union with the assent of the people of that Territory. He also opposed the “English Bill,” because he could not find in it the basis of a speedy and permanent adjustment. In fact, it seemed to him a new evidence that neither of the two political confederations who were parties to this sectional contest had any sincere desire to close up the question.

In the discussion of the Minnesota Bill (April 8, 1858) the Senator from Tennessee participated, and especially with refer-

ence to the provisions of the Constitution of the new State touching alien suffrage. He thought them violative of the spirit of the Constitution of the United States; the framers of which, in investing Congress with the power of passing uniform naturalization-laws, had manifestly never contemplated this bestowal of suffrage—one of the highest and most distinctive rights of citizenship—upon unnaturalized aliens. In former years he had raised his voice against this doctrine, and had pointed out the abuses to which it might lead; but a contrary opinion having seemed to prevail in the councils of the nation and among the people, both of the North and of the South, it only remained for him to repeat his convictions of public policy and propriety in the matter, without pressing them so far as to vote against the admission of Minnesota under a Constitution open to these objections, especially since, under the construction now admitted by a majority of the Senate, he could have no guarantee that if the Constitution were amended in this regard, while before Congress, it would not be forthwith altered by the people after their admission and made to conform to their wishes in respect to alien suffrage. He regretted to find in this, as in other political developments of the time, the indications of an increasing tendency toward a wild and unregulated liberty.

In the debates on financial matters, Senator Bell opposed the propositions of the Administration. He supported Senator Fessenden's amendment, curtailing, as far as practicable, the enormous expenditures to which the Administration had committed the Government, by the inopportune advance of the troops into Utah,—inopportune, because undertaken at a time when it must have been foreseen that they would have to winter in the gorges of the Rocky Mountains. Again, it was questionable whether the President had the legal authority to order our troops into Utah, to act as an escort for Federal officers, under the name of a *posse comitatus*. But, even if he had the power, its exercise in the premises was a great abuse.

The Fifteen-Million Loan Bill, reported from the Finance Committee, drew from Senator Bell an elaborate argument. Reviewing the circumstances which ostensibly and actually created the necessity for money, he said, Twelve months ago we had a

surplus of twenty millions in the treasury. Now the treasury is bankrupt, and we are running rapidly in debt, without providing any certain means of liquidation. Should not such a prospect rouse the people to inquiry into the financial policy of the Administration? In what other free country would such a condition of affairs be regarded with acquiescence? No British Ministry would so far presume on the toleration of a British public as to come before Parliament with a loan bill like that now pending in the Senate of the United States; for, since the Revolution of 1688, no British public would have allowed such management of the national revenues to pass unchallenged. An unparalleled financial revulsion had recently swept over the civilized world. It was the duty of our rulers to have been among the first to descry the coming storm, whereas they seem to have been among the last, if we may judge from the dispositions taken by the present Secretary of the Treasury in buying up on its eve the bonds of the Government at exorbitant premiums. Powerless to avert, they confessed themselves equally incompetent to remedy, the disasters which have befallen the trade and industry of the country.

While the Naval Appropriation Bill was before the Chamber, a spirited debate sprang up on the motion of Senator Mallory, who reported from the Naval Committee an amendment authorizing the construction of ten steamships. Senator Bell endorsed the amendment, believing, ever since the acquisition of possessions on the Pacific, that the Navy should be increased.

He is strongly in favor of a Pacific Railroad. He argued that it now costs the Government more than two millions of dollars per annum to convey the mails to California by the present routes, while the expenses of the army on our remote Western frontiers amounted during the last year to ten millions of dollars; and there was every prospect that our army would be needed in that quarter. He therefore thought ten millions, as proposed by Senator Davis, of Mississippi, too small a quota for the Government to contribute to the enterprise. Seven years ago, he had said that a hundred and fifty millions were not too much; and he was of the same opinion still. He introduced an amendment authorizing the Secretary of the Interior

to advertise for proposals to construct three routes,—a Northern, a Southern, and a Central,—leaving Congress at a subsequent day to choose between them. He particularly remarked on the singular fact that those who doubt the propriety of building a Pacific Railroad, because of their constitutional scruples, unconsciously adopt, in advocating the acquisition of Cuba, the same line of argument which is held to be so unsound when urged by the friends of the railroad. If it was lawful and proper to acquire Cuba because that island was necessary to the military defences and commercial aggrandizement of the country, why was it inadmissible to employ the same reasons in advocacy of the Pacific Railroad? On putting it to a vote, the amendment was rejected; but, having been subsequently renewed by Senator Simmons, it was passed.

The right of Congress to donate lands for the purpose of founding agricultural colleges being questioned by several leading Senators, Mr. Bell could see no difference between the constitutional power of Congress to pass such a bill and that exercised in the case of the numerous grants made to the several States for the purpose of aiding in the construction of internal improvements.

Such is an outline of Mr. Bell's career and opinions. Of the character of his usefulness and ability, the "National Intelligencer" of March 7, 1859, in announcing the expiration of his Senatorial term, said,—

"We are sure that we do but give utterance to the voice of a large portion not only of the people of Tennessee, but of the country at large, when we say that the withdrawal of the Hon. John Bell from the body which he has so long instructed by the wisdom of his counsels and adorned by the dignity of his demeanor deserves to be regarded as a serious loss to the public service. Uniting to habits of patient study those cardinal qualities of mind which constitute the conservative statesman, he had, moreover, acquired, by his long services in different branches of the Government, an experience which fitted him in a singular degree for the high functions he has lately discharged with so much credit to himself and usefulness to the country. It is to be hoped that his withdrawal from public life will prove only temporary, and that our National Councils may still share in the benefits to be derived from the signal ability he brings to the discussion of all great public mea-

tures. That ability has been sufficiently illustrated in the able speeches he has delivered on the topics of political concern which have occupied the attention of Congress during the last few years; and we venture to express the hope that a selection from his Senatorial efforts on great questions of State policy may be gathered into a permanent form, as we are sure they would compare favorably with similar productions of the leading statesmen who have shed lustre on our Parliamentary annals."

JOHN M. BOTTS,

OF VIRGINIA.

JOHN MINOR BOTTS was born in Dumfries, Prince William County, Virginia, on the 16th of September, 1802. His father, Benjamin Botts, was the youngest man engaged in the defence of Aaron Burr, and was then already eminent at the bar. His specialty was courage, nerve,—the “bravest of all possible men,” I have heard him described by a contemporary. Losing his parents at the early age of nine, by the memorable conflagration of the Richmond Theatre, in December, 1811, young Botts, then but a child, was left to his own care. He attended various schools until the age of eighteen years, and acquired a knowledge of Greek, Latin, French, and mathematics. He then studied law, entirely under his own direction, and was licensed to practise the profession after a six-weeks’ acquaintance with it,—a feat which it is claimed but one other achieved, and that one the immortal orator of the Revolution, Patrick Henry.*

After devoting himself for six years to the practice of the law in Richmond, he became dissatisfied with the confinement it imposed. Purchasing a farm in Henrico County, in 1828, he turned his attention to agriculture, and in a few years became famous for producing the largest crops, acre for acre, of any farmer in the county.

While turning the soil, he did not allow his political sympathies to stagnate. It is recorded that he was the twelfth anti-Jackson man in Henrico in 1828, and that he was then seized with the desire and intention of revolutionizing the political sentiment of the county, formidable as it was. Five years after, the fruit of his labor and enthusiasm in the Whig cause was

* A large portion of this sketch is adopted almost *verbatim* from material furnished by a capable gentleman, who is intimately acquainted with the subject.

manifested in his return to the State Legislature, (1833,) in which he sat, by successive re-elections, until 1839; and in the latter year he received the nomination of the Whigs for Congress in a district which had never elected any other than a Democrat since John Marshall* had represented it.

Mr. Botts being regarded as the only adversary whom the Democrats had reason to fear, they selected for his opponent the most popular man of their party in the district, who resigned an official position he then held in the State, and took the stump against Mr. Botts, under the assurance that, if defeated, he should be placed in a better situation in Washington than that he relinquished. In this contest Mr. Botts succeeded, by the handsome majority of over 200 votes! In 1841, he was again triumphantly elected to Congress over the Hon. Wm. H. Roane, whose term in the United States Senate had just expired.

In 1843 the State was re-apportioned and the districts very much enlarged. The Democrats had a large majority in the Legislature, who avowed that their purpose in enlarging the Richmond district was to make it as Democratic as possible, in order to defeat Mr. Botts in the future. They, therefore, struck off two of the four Whig counties that had been represented by him, and added three others, two of which were very largely Democratic, and the other about equally divided. This made the Democratic majority between five and six hundred in the district; but, fearing this might not thoroughly effect their purpose, they proposed to attach another Democratic county to it, which then gave 350 majority, and which was publicly proclaimed on the floor of the Legislature to be the "cap-stone" upon Mr. Botts's political grave, from which he could never rise. His opponent was John W. Jones, afterward Speaker of the House, a gentleman whose great personal and political popularity promised a majority of 1000 votes. In addition to this disadvantage, Mr. Botts had but six weeks to canvass the district. His courage, however, not only did not fail, but received a vital fervor from the odds against him. He met his opponent face to face wherever and whenever possible. He arraigned the Democratic party, and especially the Democratic Legislature, for the

* Afterward the celebrated Chief Justice, and biographer of Washington.

injustice and wrong done to all the rest of the State by its design to punish him for his fidelity to those principles which he believed essential to the welfare of his country. When the election took place, the Democrats were astounded to find their anticipations of a majority dwindled down to 32 votes. A conviction resting on the minds of some that Mr. Botts was actually elected, a public meeting was held, by the voice of which he contested the seat. The Democrats were as powerful in the House of Representatives as in the Legislature of Virginia.

In order, therefore, to avoid the possibility of defeat, they resorted to the extraordinary expedient of electing Jones Speaker of the House, with the contested election hanging over him. Mr. Cave Johnson moved a resolution requiring the committee to which the case was referred to consist of six Democrats and three Whigs, instead of five to four, as had been the uniform custom up to that period. When, at last, Mr. Botts forced this committee into action, and they found from the investigation that there was serious reason to fear for the safety of the Speaker, they reported against him before having gone through one-third of the evidence. When it came before the House, the same apprehension was manifested. The hour-rule was applied, and no entreaty on the part of the Whigs could induce the Democrats to extend the time, so as to allow him to expose the corrupt course the House and committee had pursued toward him.* He went home and took the stump for Mr. Clay, and by his almost unaided efforts he succeeded in revolutionizing the district, which gave that great patriot a majority of about 250.

In 1845, just after the defeat of Mr. Clay, the most unparalleled apathy seemed to possess the Whigs over the whole country, the result of which was the Democracy in Congress obtained a majority of 80 in the House of Representatives. Mr. Botts was again unanimously nominated by his party for Congress. Mr. Jones declined a re-election, declaring on the floor of Congress that he would rather run against any twenty-five men in the district than meet Mr. Botts. Mr. Sedden, a stranger in the district, was elected, "for the simple reason that the

* "Hancock," in the "New York Express," July, 1859.

loss of Mr. Clay's election had carried dismay into every Whig heart, and it was impossible at that time to rally."

The confidence of the party in Mr. Botts was, however, increased; and, in 1847, he was again unanimously called into the contest, and, to the great delight of the Whig party throughout the State and country, he was re-elected to Congress by a majority of 596 votes. Thus was the "cap-stone" removed, and the dead restored triumphantly to life in the short space of two terms.

While Mr. Botts was removing obstructions almost insurmountable, no competitor appeared before him; but his triumph brought many aspirants forward, all anxious to have him set aside, that their chances for the succession might be equalized. That opportunity was presented in the year 1848, in the memorable contest between the friends of Mr. Clay and Gen. Taylor. The State of Virginia declared in convention for Gen. Taylor, when it was known that the party in the State were for Mr. Clay. Mr. Botts adhered to the fortunes of Mr. Clay until the action of the Philadelphia Convention destroyed the last hope of success. Mortified and grieved by what he considered the folly of the proceeding, as well as the injustice done to the founder of the Whig party, he was slow in coming to the support of Gen. Taylor. But at last he did, and made a speech at Vauxhall Garden, in the city of New York, when, at the request of Mr. Clay himself, he withdrew his name, and urged the numerous Clay organizations in the State to surrender their favorite and rally upon Gen. Taylor. This they did, and thus secured the vote of New York, and the election of Gen. Taylor, as was admitted by the "New York Herald" at the time. The speech of Mr. Botts on that occasion made a profound impression upon the thousands who listened to him, and a visible emotion seemed to thrill every heart. As Mr. Botts closed his speech, the supporters of Gen. Taylor gave vent to their exultation, which the friends of Mr. Clay could not then hear without pain, and they demonstrated their displeasure by hisses. Mr. Botts reminded them of what was staked upon the result, and urged them to be magnanimous. The "New York Tribune" immediately hauled down the Clay banner, and next morning ran up Gen. Taylor's colors,—a course which was soon followed by all the Clay adherents in that State.

Those who were secretly opposed to Botts in Virginia managed to get a "Taylor" man in the field for Congress, and by that means the district which Mr. Botts had won from the Democracy fell back to it. His defeat, however, still served to show his popularity among the Whigs. In a three-days' contest the Taylor candidate received but 317 votes, those of Mr. Botts amounting to 2500.

In 1851, he was again unanimously called by the convention of his district to take the field. He reluctantly obeyed. But, satisfied that the causes of the dissensions in 1848 were not yet entirely removed, he subsequently declined the nomination and invited the convention to choose another candidate,—the election having been postponed from May to October. The convention re-assembled and insisted that he should run.

Mr. Botts has been fourteen times, by party conventions, placed before the people, and triumphantly elected ten times out of the fourteen. And when defeated, it took the whole power of the Legislature to overcome him, aided by the lower House of Congress; and then, like Mr. Clay in 1840 and 1843, he was beaten by his own household, whom he had so faithfully served in every trying contest. Since 1851, Mr. Botts has positively refused to allow his name to be presented as a candidate for any office in the State.

His career has been singularly consistent and fearless in the advocacy of what he deemed the best and broadest views of statesmanship. Soon after the Southern Democracy had changed its issue from the tariff to the Slavery question, the Abolitionists at the North began to petition Congress against slavery. This led to the passage of the twenty-first rule, forbidding the reception of such petitions. The denial of this right aroused universal indignation at the North, and the petitions increased a hundred-fold. The North resolved upon the abrogation of the rule, and the South threatened a bloody dissolution of the Union as the consequence of its repeal. Mr. Botts came boldly forward and advocated its removal; while a storm of denunciation from friend and foe was poured upon him from every quarter of the South. He saw clearly the necessity of the abrogation, and he defied all injurious constructions placed upon his motives, and persevered until the obnoxious rule was rescinded. The wisdom of his con-

clusions was manifested at the next session of Congress, when but six Abolition petitions were offered, instead of about six thousand, as at the previous session.

Mr. Botts's defence of John Quincy Adams and his disruption with President Tyler, with whom he had been on terms of peculiar intimacy, are cited by his friends as striking evidences of his characteristic reliance on and advocacy of sterling principle. In both instances he almost stood alone; and it is the boast of his admirers that Southern opinion, then so fiercely opposed to him, now concedes him all credit for the motives which prompted his action. To his course in the Tyler case, even Mr. Clay hesitated to yield his approval; but Mr. Botts stood firm. He was compelled to stem the torrent of an almost universal opinion; but he did not falter. In his own party he found no support. The Cabinet condemned him, the press censured him, Congress blamed him. "Still, solitary and alone, he agitated public opinion, and in a few weeks he had thoroughly transformed it." In the House of Representatives, where at first Mr. Botts had not one supporter, one hundred and nineteen eventually joined him in a severe rebuke of the President, and eighty-nine voted to impeach Mr. Tyler, as the highest possible measure of national condemnation.

In September, 1853, Mr. Botts was invited by the venerable Ex-Chief-Justice Hornblower, Hon. A. C. M. Pennington, William E. Robinson, D. T. Clark, and several other leading Whigs, to a public dinner at Newark, New Jersey. It resulted in a flattering success. On every side were to be seen those who had battled through good and evil report, in storm and sunshine, for the success of the Whig cause. In proposing the health of *the* guest, Mr. Pennington said he was "a Whig who has been ever faithful and ever true,—a man who, whether in success or defeat, in storm or sunshine, in glory or in gloom, has ever stood by the Whig party,—a man, I may add, who is a Whig because he loves the Whig party, and not because he wishes to profit by it. He comes from the good old State of Virginia,—a State said to be the mother of Presidents. She certainly has been the mother of statesmen, and, not the least of them, of him in whose honor I rise to propose this sentiment. Our guest,—Hon. John Minor Botts, of Virginia,—independent

in his opinions and fearless in advocating them : the Whig party are proud of him as a champion of the good old Whig cause."

In reply, Mr. Botts made a lengthy speech, exposing the "spurious Democracy," and arguing that the Whig party still existed. "If dead," said he, "it died on the 3d of November, 1852; and on that day it recorded one million three hundred and eighty-five thousand true, genuine, undismayed Whig votes,—such a vote as was never given before for that or any other party since the foundation of the Government; and it only required about thirty-five thousand votes, properly distributed, to have secured success to its candidate." In relation to himself, he said he was tired of political life, and would never again *seek* public station. If, however, services were demanded of him in a position where he could uphold the position of the people against the power of the politicians and selfish office-seekers of the land, he would obey the call.

The Kansas-Nebraska Bill is another striking exemplification of the characteristic qualities of Mr. Botts. From the moment that question was mooted, it seemed to find unqualified approval in the Southern mind. Not a Southern Senator in Congress opposed that bill, but either enthusiastically supported it, or remained silent. Every Southern member of the House followed the same programme. Every Southern paper either lauded or said nothing. Every petty orator and politician declared that the bill was the only thing to save Kansas to the South. It was at this period that Mr. Botts came out with his letters of utter condemnation. The result of this course again brought upon his head the united animadversion of the people. The press and politicians south of Mason and Dixon's line denounced his opposition to the Kansas-Nebraska Bill, without regard to party distinction. Almost every paper condemned him; and the Whig and Democratic journals seemed for a time to vie with each other in the measure of abuse showered upon him. About this period, certain distinguished gentlemen of the Whig party called upon the editors of an influential paper and tabooed the further issue of his mischievous letters in their columns. As time passed on, Mr. Botts not only refused to recant his views, but reiterated his abhorrence of this "popular Baal;" and the popular clamor against him was lashed into fury. Whig papers essayed to

expel him from the party. Democratic editors were ecstatic in indignation at his "traitorous proceedings;" and Henry A. Wise proposed to hang him in the summer of 1856. But all this never had the slightest effect toward causing Mr. Botts to recede from a single position he had assumed.

One of Mr. Botts's most telling public addresses was that delivered at the African Church in Richmond, on the 8th of August, 1856. In it he vindicated his past action, and, among other points, traced the history of the Missouri Compromise, and showed what were its fruits, by whom they were enjoyed, and what had been the effect of its repeal. It was not, said he, as has been commonly stated, a measure imposed upon the South by the North. It was proposed on the part of the South to the North, "that if you will allow us—you being in the majority, and having the control—if you will permit us to carry slavery up to the line of $36^{\circ} 30'$, we will pledge ourselves not to attempt to carry slavery beyond $36^{\circ} 30'$." They said, "We will allow every State south of $36^{\circ} 30'$, that chooses, to adopt slavery or reject it as they please; but if they apply for admission, as Missouri has done, as Slave States, then you shall make no objection to their admission because they recognise slavery." Thus, the South, with a few Northern votes, carried the measure. It was voted for by twenty out of the twenty-two Southern Senators in Congress. Macon, of North Carolina, and Smith, of South Carolina, were the only Southern Senators who voted against it. In the House it passed by 134 to 42; forty Southern Representatives voting for, and thirty-seven voting against, it. The history of that day will show it to have been a great Southern triumph. The repeal of it he held to be a cunning device to reopen agitation on the Slavery question, and, in a circumstantial series of statements, he essayed to show that the Democratic party never sanctioned any thing that would produce peace and harmony; that it was their intention to agitate and keep up agitation on the subject, and provoke resistance to the Fugitive-Slave Law.

In the same year, a committee of the American party of Richmond addressed the Americans of the Union, recommending Mr. Botts for the Presidency, as an honest, true, courageous, pure, and able man,—one who had been so pronounced by Mar-

shall, Gallatin, Webster, and Clay. "We are aware," said the authors of the Address, "that our candidate is not without enemies—bitter and vindictive, but, we trust, impotent, enemies—at home and abroad. We are aware that among the most bitter and vindictive of these are men of our own State and city. But in this position he stands not alone. Everett, in Massachusetts, Fillmore and Dickinson, in New York, Cass, in Michigan, Buchanan, in Pennsylvania, Wise and Hunter, of Virginia, and Houston, of Texas, have, in the vicinity of their own homes, men of their own party equally bitter."

On Washington's Birthday, 1859, Mr. Botts addressed the Order of United Americans in the Academy of Music, New York. His speech, which drew down high encomiums from his party, is a continuation of his previous expositions of the Democracy. It was especially severe on the Administration of Mr. Buchanan and the complications arising from the attempted enforcement of its chief measures, such as the Lecompton-Kansas affair, the Loan Bill, the Thirty-Million Cuba Bill, the Mormon War, and the difficulties with the Central American States. He only less condemned the "Black Republicans," and, alluding to the "Americans," denied that it was proposed to interfere with the subject of religion or the religious worship of any portion of the people of the United States. The Order was not, and never had been, mixed up with any question relating to the Church; and the other organizations sought nothing more than resistance to any union of Church and State. Their purpose was to permit no ecclesiastical order to govern the civil authority, nor force any particular religion upon the people by legal enactment, and to oppose the exclusion of the Bible from the common schools.

"For my own part, [to use the words of Mr. Botts,] I should be more than willing that every foreigner now upon our shores, or arriving here within any given future day, within a limited period, should be allowed to go at once to the proper tribunal, and by declaring his intention, upon oath, to become a permanent citizen, take the oath of fidelity to the United States, and become at once invested with every civil and religious privilege enjoyed by a native citizen; but I would withhold from him all political power, and let him wait patiently until his children, raised under republican institutions, nursed, as it were, by the milk of liberty from its mother's breast, should stand forth and claim, as we do now, that he has

rights and privileges at home that do not belong to every travelling vagrant that, from charity, he might choose to take into his household to protect from want and cold."

On the question of protection to naturalized citizens, which sprung up in the summer of this year, (1859,) Mr. Botts came out in a most emphatic manner, arguing in favor of a thorough protection, inasmuch as the naturalized citizen, by the form prescribed by the Constitution of the United States, withdraws all allegiance to foreign Governments. He did not dispute that there was an international European law which does not recognise the right of expatriation. Operating among those who recognise it, that law was fair and equal, because mutual and reciprocal; but that the United States had no voice or agency in establishing that international law, and that this Government has always repudiated and condemned it, and refused to be governed by it, was equally indisputable. It was not necessary to go beyond the Constitution itself to prove it by the authority there given to Congress *to establish a uniform rule of naturalization*, which, under the international code denying the right of expatriation, could not have been authorized or justified.

Such is a succinct view of the opinions of Mr. Botts. That they meet with favor from a large and respectable portion of his fellow-citizens is undeniable. He has been recently recommended by several meetings at leading places, including New York, Brooklyn, and Richmond, as the candidate of the Opposition party for the next Presidency. Few gentlemen in public life have had more bitter enemies or warmer friends. In appearance he is portly, in manners blunt, but courteous, and his talents are of a positive and eloquent character.

JOHN C. BRECKINRIDGE,

OF KENTUCKY.

THE most fortunate gentleman connected with politics in our country is certainly the young statesman whose name I have just written. I say fortunate, in a sense complimentary to the nation as well as to him; for it is rare to find a man of his talents and capacity so profoundly appreciated at so early a period of life. John Adams was fifty-four years old when elected to the Vice-Presidency; Jefferson, fifty-three; Aaron Burr, forty-four; George Clinton, sixty-five; Elbridge Gerry, sixty-nine; Daniel D. Tompkins, forty-three; John C. Calhoun, forty-three; Martin Van Buren, fifty; Richard M. Johnson, fifty-seven; John Tyler, fifty-one; George M. Dallas, fifty-three; Millard Fillmore, forty-eight; William R. King, sixty-six; while the subject of this sketch was elected to the high office he now holds at the age of thirty-five. He is by far the youngest of the most prominent men in the country, and it is with no little pride that his State and his friends throughout the United States may point to that fact. The man whose career inspires such reliance that it can meet, as his has safely done, the rivalry of more experienced celebrities, and harmonize all into an approving satisfaction at his elevation, has achieved that which in our day and nation is one of the highest testimonies to his capacity and merits. The man whom the assembled wisdom of the Democracy agreed to elevate to the second place in the nation is a man to be judged not by his years, but by his suitableness to the age in which he lives. In this connection, it is a noteworthy fact that the two youngest of the really prominent men of the Democratic or any other party—Messrs. Breckinridge, and Orr, of South Carolina—at the same time presided over the two Houses of the National Legislature.

John C. Breckinridge is a native of Kentucky, and was born

near Lexington, January 16, 1821. He received his education at Centre College, enjoyed the benefits of some months at Princeton, and, after going through the requisite law-studies at Transylvania Institute, was admitted to the bar at Lexington. Hoping to find a fruitful field in which to sow his knowledge, he emigrated to the Northwest, but, after something less than a couple of years spent in Burlington, Iowa, he returned to his native State, and took up his abode at Lexington, where he still resides. He entered immediately on the practice of his profession, and met with a well-merited success.

The trump of war, however, excited the military ardor of our young Kentuckian, and the result was creditable service as a major of infantry during the Mexican War. He also distinguished himself as the counsel for Major-General Pillow in the celebrated court-martial of that officer.

On the return of Major Breckinridge from Mexico, he was elected to the Kentucky Legislature, and created so favorable an impression as a legislator that he was elected to Congress from the Ashland District, and, being re-elected, held his seat from 1851 to 1855.

It was not long before the name of Mr. Breckinridge was in the mouths, so to speak, of all reading people. It is not so far back but that his difference with the "Democratic Review" is familiar to most readers; but the high station attained by Mr. Breckinridge since, makes it imperative to record as matter of history the occasion which gave him his first prominence.

The "Democratic Review" for January, 1852, burst upon the political world with a startling fury. Old jog-trot politicians were aghast. Canvassing the question of the Presidency, so soon to come up, the Review said that, while the fathers of the people personally lived, it was an easy task to select the candidate most worthy of success and most certain of attaining it. Now it was somewhat different. Looking at the defeat of the Democracy, in 1848, after the brilliant Democratic administration of Polk, it believed that "if it were impossible for the old politicians, the surviving lieutenants of the days of Jackson, to agree, in 1848, on the election of a candidate, it was ten times more impossible for them to agree on the nomination of any one of themselves as a successful candidate" in '52. Nor would it

be well if they could agree, thought the Review, for they had had "the control of the destinies of the country and the party, but, by lack of statesmanship, lack of temper, lack of discretion, and, most of all, by lack of progress, they brought into our ranks discord and dissension; and the party they received united, strong, and far in advance, they left a wreck—a mutinous wreck—struggling in the slough of questions settled by the federal compact of the United States." To meet the exigencies of the times, the Review advocated and announced a new generation of statesmen, not trammelled with the ideas of an anterior era,—men who would bring not only young blood, but young ideas, to the councils of the Republic.*

Mr. Breckinridge was in favor of progress, liked young blood and young ideas, but objected to the course of the Review. The Review had been most extensively circulated: indeed, no Review in America, before or since, made any such sensation as the "Democratic" did in 1852. "Politicians were in a nervous fever in the breathing-time from month to month, between congratulating themselves on not having been noticed in the last number, and fear of being scarified in the next. The newspapers were eager to get an early copy, to extend the obituary of some decapitated 'Fogy,' or contradict the rumor that the 'Democratic Review' had killed him. Being always in a rage itself, the Review soon created a like feeling in the public: it became the rage. Comic papers caricatured its writers, and revived its victims into ludicrous notoriety; comic versifiers squibbed on its suggestions; leading journals, all over the country, poured out praise and denunciation with equal heartiness; and the wise heads of Congress even took to criticizing and debating on its merits and men."† Deeming that the article in question was generally considered "an attack upon almost every man in the Democratic party whose name had been mentioned in connection with the Presidency," Mr. Breckinridge felt bound to notice it in the House. The February number followed up the denun-

* See article "Eighteen-Fifty-Two and the Presidency." Dem. Review, Jan. 1852. Written by the late Thomas Devin Reilly.

† See Memoir of Thomas Devin Reilly, by John Savage, in "'98 and '48," p. 373.

ciatory promises and premises of the January issue, and gave the gentleman from Kentucky still further grounds of objection, especially as General Butler, of Kentucky, had been described by name as an "old fogy."

In March, he bitterly and boldly reviewed the reviewer, and denounced the publication and its conductors, as attempting to promote particular interests by traducing the most honored names in the ranks of the Democracy. It was conceived by some prominent men and journals that Mr. Breckinridge's speech was an indirect attack on Judge Douglas, he being the only prominent man not assailed by the Democratic Review. Mr. Breckinridge also rather implied that the Review was the organ of the Senator from Illinois, and that it was for that reason he was exempted from denunciation in its pages. Hon. Mr. Richardson authoritatively denied that Douglas had any connection with the publication; and Hon. E. C. Marshall, of California, made a very vigorous reply to the gentleman from Kentucky, in defence of the Review,—“a periodical in which he felt no special interest, except in so far as it was ably edited.”

The Review continued to create great anxiety among the politicians and newspapers, and, in view of the debate in Congress, placed both Messrs. Marshall and Breckinridge on record in its pages,—the former in a very fine steel-plate portrait, and the latter in an equally elaborate, but tantalizing, review of his speech. The newspapers taking up the debate in Congress, and reviewing the Review, bestowed upon Mr. Breckinridge a large share of notice in the discussion of the affair.

The prominence thus derived, other circumstances helped to sustain.

Introducing (on the 30th of June, 1852) the resolutions of respect to the memory of Henry Clay, who had died the day previous, Mr. Breckinridge laid the fulness of his young heart on the grave of the great Kentuckian, in whom “intellect, person, eloquence, and courage united to form a character fit to command.” Standing by that grave, and with the memories of the great dead about him, “the mere legerdemain of politics” appeared contemptible to him. What a reproach was Clay's life on the false policy which would trifle with a great and upright people! “If I were to write his epitaph,” said Breckinridge,

"I would inscribe, as the highest eulogy, on the stone which shall mark his resting-place, 'Here lies a man who was in the public service for fifty years, and never attempted to deceive his countrymen.'"

In the Thirty-Second Congress, Mr. Breckinridge was instrumental in securing an appropriation for the completion of a cemetery near the city of Mexico, in which the remains of the American officers and soldiers who fell in battle or otherwise in or near the city of Mexico should be interred. He also favored an appropriation for a weekly mail with the Pacific, and advocated putting these contracts out to the lowest bidder.

Though Mr. Breckinridge did not seek to be constantly before the House, he took a very distinguished position, and sometimes in debate was sharp and effective.

Hon. Mr. Giddings, in the course of a speech (16th of March, 1852) on the Compromise Measures and Fugitive-Slave Law, denied that the Federal Government had power to pass laws by which "to compel our officers and people to seize and carry back fugitive slaves." Mr. Breckinridge briefly pushed him into an enunciation of his most extreme doctrines, and then said, "Against the impotent ravings of his baffled fanaticism I place the plain words of the Constitution. To his coarse and offensive language I have no reply."

Again, toward the close of the discussion about the "Democratic Review," Mr. Cartter asked him some questions about that periodical, when Breckinridge retorted, "I did not suppose the gentleman from Ohio would omit a favorable opportunity to ring himself into the debate, and say something which might go upon the record." This turned the laughter of the House on the gentleman from Ohio, who did not get an answer to his inquiry.

With the debate on the Nebraska Bill, in March, 1854, Thirty-Third Congress, Mr. Breckinridge's name is intimately woven. It was during this discussion that his difficulty with the Hon. Mr. Cutting, of New York, took place. On the 21st of March, Mr. Richardson, desiring to reach the Nebraska Bill, heretofore reported by him, moved the House to go into Committee of the Whole on the State of the Union. After some slight discussion, this motion was lost. Having proceeded with the business on the Speaker's table, several small bills were taken

up and referred, and the Nebraska Bill reached by title. Much feeling was manifested, and all seemed to regard this as a crisis. Mr. Richardson and Mr. Cutting rose together. The former moved to refer to the Committee on Territories; the latter moved to refer to the Committee of the Whole on the Union. The Speaker recognised the member from Illinois, and the member from New York raised a point of order. Richardson said his purpose was to amend the bill, and that Cutting's course would kill it. Mr. Cutting persisted in his motion, and supported it by a speech, disclaiming any disrespect to Mr. Richardson as Chairman of the Committee on Territories, and stating that it was understood that that committee had already discussed and elaborated the subject. He was opposed to putting it again through the circuitous mode of referring it to them, and having it on the Speaker's table as it was to-day. The North was in a state of civil insurrection since the introduction of the bill; and he thought it was a time, not for parliamentary tactics, which give rise to suspicion, but for full, frank, and manly discussion. He was in vain appealed to: he would not withdraw; and, his motion being passed, he clinched the vote by moving to reconsider, and then laying the motion on the table.

Mr. Millson, of Virginia, having brought up the Nebraska matter in a discussion on the Indian Appropriation Bill, on the 23d, was followed by Mr. Hunt, of Louisiana, "two enemies of the bill" having precipitated the debate on the House. Mr. Breckinridge entered the lists in a memorable speech, in which he strongly stigmatized the course of Mr. Cutting. "The gentleman may be for the bill," said he, "but his voice is that of an enemy." He warned the friends of the measure from following the member from New York, whose course would kill it; and preferred to have a score of open enemies than a professed friend who struck in the manner he did.

On the 27th, Mr. Cutting replied at great length to the imputations thrown out by Mr. Breckinridge, when, the latter retorting, a scene of great excitement took place. The difficulty was carried out of the House, and for some days public curiosity was aroused at the prospect of a duel, the preparatory steps for such a settlement having been taken. On the 31st, however, Mr. Preston informed the House that Mr. Cutting had left the mat-

ter in the hands of Colonel Monroe, of New York, and General Shields, United States Senator from Illinois, and Mr. Breckinridge had referred to Colonel Hawkins, of Kentucky, and himself, (Mr. P. ;) and he was authorized to state that a settlement had been effected mutually satisfactory and honorable to both parties. On the part of both gentlemen he also offered an apology for any violation of the rules of the House which had taken place in the excitement of debate.

In Mr. Breckinridge's speech of the 23d, he declared himself in favor of perfect non-intervention, and said that he would not vote for the bill if it proposed to legislate slavery into Nebraska and Kansas. "The right to establish," said he, "involves the correlative right to prohibit; and, denying both, I would vote for neither. I go further, and express the opinion that a clause legislating slavery into those Territories would not command one Southern vote in this House." Alluding to the restriction of 1820, and its inconsistency with the Compromise of 1850, he said the effect of the repeal of the former was "neither to establish nor to exclude, but to leave the future condition of the Territories dependent wholly upon the action of the inhabitants, subject only to such limitations as the Federal Constitution may impose."

"Sir," he said, in continuation, "I care nothing about refined distinctions or the subtleties of verbal criticism. I repeat the broad and plain proposition, that if Congress may intervene on this subject it may intervene on any other; and having thus surrendered the principle, and broken away from constitutional limitations, you are driven into the very lap of arbitrary power. By this doctrine you may erect a despotism under the American system. The whole theory is a libel on our institutions. It carries us back to the abhorrent principles of British colonial authority, against which we made the issue of Independence. I have never acquiesced in this odious claim, and will not believe that it can abide the test of public scrutiny."

In recognition of Mr. Breckinridge's identification with the views of the Administration, President Pierce tendered to him the mission to Spain; but the honor was respectfully declined, family matters compelling Mr. Breckinridge to this course. He was a delegate to the Cincinnati Convention in June, 1856. After the nomination of Buchanan for the Presidency, several names were offered for the second office,—among others, that of

John C. Breckinridge, proposed by the Louisiana delegation, through General J. L. Lewis. Acknowledging the flattering manifestation of good will, Mr. Breckinridge begged that his name would be withdrawn. On the first ballot, however, the Vermont delegation, through Mr. Smalley, believing that no Democrat has a right to refuse his services when his country calls, cast its five votes for Breckinridge. Many other States followed, and of the total he received fifty-one votes, second on the list, and only eight under the first,—General Quitman. On the second ballot, Maine, New Hampshire, and Vermont led off for Breckinridge; Massachusetts followed with eleven out of thirteen votes; Rhode Island followed with her four; then the New York "Softs" gave him eighteen. Delaware, Maryland, and Virginia voting in the same way, it became quite obvious that he was the choice of the body; and though several of the remaining States voted for other candidates, they quickly, one by one, changed their votes, the several delegates making neat and appropriate speeches in announcing the change. The names of other candidates were withdrawn, and the whole poll went for John C. Breckinridge, at which the Convention rose, and with waving of handkerchiefs and the loudest vocal demonstrations directed its attention upon the tall and graceful delegate from Kentucky, who had been so unexpectedly nominated for so exalted a post. It was long before the demonstrations subsided so as to allow a word to be heard. At last, the commanding figure of Mr. Breckinridge stood fronting the mighty triumph. It certainly was a time to try a young man. He spoke briefly and becomingly. The result just announced was unexpected, and his profound gratitude was without words. He gave the Convention the simple thanks of a true heart; and, expressing his appreciation of their first choice, and linking his humble name with that of the tried statesman of Pennsylvania, cordially endorsed the platform, and sat down amid the booming of cannon and the vociferous applause of the multitude outside breaking in upon and almost overpowering the loud cheers within the hall.

Three days after this exciting and gratifying scene, his neighbors gathered to congratulate him at Lexington, and he then, in an address to them, reiterated the views of his Nebraska-Kansas

speech and the platform upon which he was placed before the people.

"The whole power," said he, "of the Democratic organization is pledged to the following propositions: That Congress shall not interpose upon this subject in the States, in the Territories, or in the District of Columbia; that the people of each Territory shall determine the question for themselves, and be admitted into the Union upon a footing of perfect equality with the original States, without discrimination on account of the allowance or prohibition of slavery."

He was elected Vice-President, having received 173 Electoral votes, being 59 over William L. Dayton, the Republican candidate for the same office. Thus, at the age of thirty-five, he had served his country abroad, had been a legislator in his State and in the National Legislature, had been tendered the representation of the Republic in Europe, and elevated to the second office in the gift of the people. Truly might the lines of the poet be applied to him :—

"He is almost sunk
Beneath the weight of trusts and offices
Not merely offer'd, but imposed upon him."*

As President of the United States Senate, he took the chair of that eminent body early in the first session of the Thirty-Fifth Congress, December, 1857, and, with some intermission, caused by the illness of his family, presided during that stormy session.

At Florence, Kentucky, on the 24th of July, 1858, the Vice-President, then being in rustication in his own State, attended, by invitation, a meeting of his fellow-citizens, and addressed them in an eloquent speech on the topics of the day. He defended the Administration against the charge of extravagance, showing that the "Americans" and "Republicans," who clamored so much about extravagance, were the very parties that attempted in the previous session to add several *millions* to the budget; that the extravagant and objectionable appropriations were made by a "Republican" House, and that the only resistance made against them was by Democrats. He reviewed the Slavery question up

* Goldsmith of Padua: a Drama; by Thomas S. Donoho, Washington, D.C., 1858.

to 1820, when intervention against Slave States commenced, followed with a rehearsal of the Wilmot Proviso movement, and the reaction that followed, expressing the belief that the people of Kentucky had not appreciated the scope and force of the Anti-Slavery movement, which was broadening and deepening at the North. He showed them how the Slavery question had killed the old Whig party,—an organization that was bold, open, gallant, full of pluck and fire; how the American party had died, partly of the same issue, and partly of an inherent weakness in its constitution, and thought that the gentlemen who caused the death of the last party left afloat in Kentucky would and should become Democrats, to enable the State to cope with the Republicans. It was impossible to remain neutral. The Democratic party was not a destructive but a conservative party, based upon the Constitution, and the rights of citizens and States. It alone had survived the agitation, and was now vital, untamable, and unconquerable. The speech gave great satisfaction.

In the great struggle in Illinois between Senator Douglas and the Republicans and seceders from the Democracy, the Vice-President sympathized with the former. Though he did not endorse the course of Senator Douglas in the session of Congress then recently closed, on the Lecompton question, he sympathized with him, and desired his success, “being the leader of the Democracy of Illinois in their present fight against Black Republicanism.”

On the removal of the Senate from the old and time-honored chamber, which had been the scene of so many great events of American history, to the new one, the Vice-President made a feeling address. He gave an historical outline of the exigencies to which Congress was put in its early days,—holding its sessions, as the chances of war required, at Philadelphia, Baltimore, Lancaster, Annapolis, and Yorktown, and, during the period between the conclusion of peace and the establishment of the present Government, at Princeton, Annapolis, Trenton, and New York. He followed with a history of the choice of the present locality, the foundation of the city, the building of the Capitol, and the onward career of our legislature, with suggestive memorials of the great men who had made the place they were leaving immortal. It was a chaste and suitable farewell to the old chamber,

and will be treasured among the archives recounting its dear old memories.

In the recent (August) election in Kentucky, a majority of the members of both branches of the Legislature were returned favorable to the election of the Vice-President to the United States Senate, as successor to the Hon. John J. Crittenden, whose term expires in 1862.*

After such a record, it is needless to dwell upon the popularity or merits of the man; or to commend the appreciation which has thus carried out the recommendation in favor of an infusion into our political life of some young blood and intellect.

* Mr. Breckinridge has since been elected Senator by twenty-nine majority, on joint ballot of the Kentucky Legislature.

ALBERT G. BROWN,

OF MISSISSIPPI.

SOUTH CAROLINA has the honor of his birth, and the future historian of that State will have to credit the Chester District with at least one more name on its list of eminent men;* for in that district, and on the 31st of May, 1813, Albert Gallatin Brown was born. The granite region of his birth, not less than the sturdy stock which dwell there,† seem to have lent their characteristics of stability and fervor to the future career of the legislator.

When Albert was about ten years old, his father, Joseph Brown, emigrated to Mississippi, and settled in what is now Copiah County. He went into the woods and wilderness, not to mend but to make his fortune. One of the first to disturb the solitudes, for the purpose of pointing out to his boys a pathway to competency, comfort, and civilization, the elder Brown surmounted the difficulties of the new locality, overcame the hardships of poverty and the lack of those aids which make the tangled forest a smiling farm as if by magic, and after a few years of stern industry and economy beheld the fair fortune he had labored to propitiate.

During this period the boys Edwin and Albert were not idle, but to the ability of their strength helped to open the farm. The young pioneer, the subject of this sketch, was a bright and active boy. "It was his business to mind the stock, work a little on

* Mills, in his "*Statistics of South Carolina*," under the head of "Eminent Men" of Chester District, gives *one* name, that of Colonel Lacy, who so highly distinguished himself at the battles of Hanging Rock, King's Mountain, and Blackstocks.

† "The settlement of this part of the country was as early as 1750, principally by emigrants from Pennsylvania and Virginia; after the peace of Paris, in 1763, a considerable accession of emigrants from Ireland took place, which increased for several years; so that the major part of the inhabitants of this district may be said to be descended from the Irish."—R. MILLS.

the farm, go to mill on Saturday, and attend school occasionally, when there was nothing else to do." This course of life not only strengthened the limbs, but expanded the mind, of the boy. It is, no doubt, owing to his recollections of this era, and to the lessons imparted by the experience of his family, that Mr. Brown, as a legislator, has ever been an earnest advocate of the Homestead Bill. Nearly thirty years after his farmer-boy experiences and his Saturday mill-journeys, he said, in the House of Representatives, "I claim to have been among the earliest, as I have certainly been among the most steadfast, friends of the wise and humane policy of providing homes for the homeless."

As poverty retreated before the energy of the Browns, Albert's love for books unfolded itself, and the youth received such encouragement and rough trimming as the neighboring frontier schools could give,—the mill-journeys and farm-work, however, claiming his first attention in time of need. In February, 1829, he was sent to a school known as Mississippi College, under the management of Rev. D. Comfort. Three years' residence here endeared him to his classmates, and especially to his teacher, to whose parental care and counsel Mr. Brown, with gratitude, refers, as having placed him on the road to distinction and fortune. In the winter of 1832, he was transferred to Jefferson College, where he remained but six months, hoping to enter on a regular collegiate course at Princeton or Yale,—a hope never fulfilled, the resources of his father on the one hand, and his numerous family on the other, not warranting the outlay. Disappointed, but not despondent, he went to the village of Gallatin, made an arrangement with E. G. Peyton, a lawyer of high standing, and the next day commenced the study of the law.

Thus, at the age of nineteen, Albert G. Brown has closed his accounts with the academics and opened one with the world.

In less than a year, Mr. Brown stood an examination before the Supreme Court of the State, and was admitted, being then scarcely twenty years old, the bench omitting to put the question, "Are you twenty-one?" Having undergone a course of military training at Jefferson College, his county elected him a colonel of militia on his return therefrom, and the next year he was chosen brigadier-general of militia. In the autumn of 1833, Mr. Brown commenced the practice of his profession. It cannot be said that

success followed him: it was immediate, and kept up with him. His personal popularity at once gave himself and others confidence in his position and powers, and placed him honorably among the oldest and most distinguished gentlemen at the bar.

In October, 1835, Mr. Brown was married to a Virginia lady of worth and accomplishments,—Elizabeth Frances Taliaferro,—who, however, survived but five months. A month after his marriage he entered upon his political career. His very first step displays the extent to which he had won the popular affection. It was a stirring time in Mississippi politics, and the competition for seats in the Legislature may be imagined, when it is stated that for the three seats to which Copiah County was entitled there were nine candidates, nearly all of whom were on the same side,—that is, Democrats, or, as they were then called, “Jackson men.” In this *mêlée* the opposition of candidates to young Brown was energetic. Those looking to the future did not like to give him a step in advance. His youth was brought against him; but, that being a weak invention in the face of his already great success, a stronger argument was sought in the alleged unsoundness of his political views, the foundation for this being the attachment of his father to the old Federal school. The election came off, and Brown was sent to the Legislature, being second on the list, and leading the third member for the county by 75 votes. This settled the matter of his youth and his politics; and his conduct in the Legislature so completely determined the question of his capacity that he was chosen Speaker *pro tem.*, to fill a vacancy, and at the next election he was returned without a struggle.

About this time, Governor Lynch, first and last Whig Governor of Mississippi, entering—in a message—into an elaborate argument in favor of a National Bank, recommended the Legislature to give an opinion on the subject. Mr. Brown was chairman of the committee to which it was referred, and his report took strong ground against the bank, inasmuch as, first, “the Government of the United States has no constitutional right to charter a National Bank;” and as, secondly, “it is inexpedient and improper to charter such an institution at this time, even if Congress had the constitutional right to do so.” After reviewing the unconstitu-

tionality of the proposition, he replied to the arguments of its friends. If the bank did not render labor more valuable, what was its use to the working-man? But when, on the contrary, the redundancy of paper-money swelled the value of every horse, plough, harrow, and all the articles for field-use or home-consumption needed by the laborer, then, said Mr. Brown's Report,—

“Then we find it is an institution which, instead of lightening the poor man's toils, in fact levies a heavy contribution upon the wages of his industry. It is an institution which makes the weak weaker and the potent more powerful,—even filching from the poor man's hand to replenish the rich man's purse. Your committee have mistaken the duties of legislators, if it is their province to guard over the peculiar interests of the speculator and the gambler, who live by the patronage of banks, to the detriment and ruin of the honest yeomen, whose toils have raised our happy Republic from a few dependent colonies to the highest pinnacle of national fame; causing Indian wigwams to give place to splendid cities, and the whole wilderness to bloom and blossom as the rose.”

These bold and vigorous views attracted wide-spread comment at the time, being as warmly defended by the anti-bank journals as bitterly denounced by the opposite side. Mr. Brown's faith in the principles of his now famous Report was soon and unexpectedly put to the test. In the autumn of 1838, the pecuniary panic in Mississippi afforded the alert bank party a chance to create a reaction. Taking advantage of the excitement, and of Mr. Brown's absence from the State, they succeeded in getting up written instructions requiring him to vote for a United States Senator favorable to the bank, or resign. Mr. Brown promptly accepted the alternative, and resigned; but as promptly presented himself to fill the vacancy caused by his resignation, although 750 out of 900 voters had signed the instructions. This was a bold course, but quite characteristic of Mr. Brown's faith in the people. He told the people he should not feel contented in his seat if they no longer desired him, but he should like to know their determination through the ballot-box,—and wound up a brief and manly address to them by saying, “All I ask is a free conference with the people. Come, sit ye down, and let us reason together.” It was a *coup d'état*. He was returned by about 150 votes over the bank candidate.

The effect of so direct a course, and the ability with which the

canvass was conducted, was not lost on the Democracy of the State. It was impossible to overlook either; and the result was that the Democratic State Convention, which met soon after, unanimously nominated the young victor for Congress. Now his energies were doubled, and all that he could muster were needed. The Whigs had had it all their own way at previous elections, and the bank interest was in its meridian in Mississippi. He was met, step by step, with all the resources of the ascendant party; but Brown, proud of his past, and feeling that he must sustain it, went gallantly on, accompanied by his colleague, Mr. Jacob Thompson, the present Secretary of the Interior; and by the time of election—November, 1839—the friends had met and held open discussion with the leaders of the other side in nearly every corner of the State. The result was another *coup d'état*. The whole Democratic ticket was elected by an average majority of 3000, Mr. Brown leading the Congressional ticket by several hundred votes. Thus has the whilom bright boy who gave a helping hand to the farm and went to the mill on Saturdays raised himself, in a very few years, to the front of his party in the State, and into a seat in the National Councils, at the early age of twenty-five.

The career of Mr. Brown in the State Legislature is said to have been brilliant and useful. It can only be known by its fruits; for in those days, unfortunately for the political history of the State, no reports of debates were kept by the Legislature of Mississippi. "A record of these debates would exhibit in relief, admirable and bold, the political forecast of General Brown."*

He took his seat in the United States House of Representatives, December, 1839, and during his first term preferred chiefly, in his own words, "to listen to the views of other gentlemen than to present any of his own." He was not silent, however; and, when he did speak, he effectively supported the measures in

* Democratic Review, Nov. 1849, vol. xxv. p. 459. "Speeches, Messages, and other Writings of Hon. Albert G. Brown, Senator in Congress from Mississippi. Edited by M. W. Cluskey, Postmaster of the House of Representatives of the U. S.:" Phil. 1859. The volume contains the memoir from the Dem. Rev., with additions by the editor. To it the present writer is indebted for many useful references.

advocacy of which he had won his laurels, and to sustain which he had pledged himself. His effort of the session was a full and fervid review of Mr. Van Buren's Administration, and an equally zealous and keen dissection of the Whigs and their measures generally. He was especially severe on the National Bank. Instead of giving up the powers of Government to be exercised by an invisible moneyed aristocracy in the form of a National Bank, he proposed to give them to the President of the United States, "whether he be William Henry Harrison or Martin Van Buren, or even, sir, in the language of Mr. Clay, if it be Thomas H. Benton, Amos Kendall, Francis P. Blair, or the Devil." In reply to the cry of the Opposition, that such powers would constitute the President a king, he said,—

"If we are to have any king or tyrant in this country, I want that he may be a living, creeping thing,—something that I may see, that I may feel, into whose face I can look, and upon whose brow I can place my burning curses, as he binds about these uncaptive limbs the fetters of despotism,—and not a soulless, unfeeling corporation,—an invisible, intangible, and immaterial thing,—a thing not responsible to man on earth, or God in heaven."

To the cry of "economy and retrenchment," he replied that he was for both, but he spurned them at the expense of national honor.

"If," said he, "the disease, the extravagance, the profligacy of which you speak exist in the War Department, go there with your remedy; if in the Navy, go there; and if in the Treasury or Post-Office, go there. But do not, I pray you, stretch the Government on the Procrustean bed, and, under pretence of curing a diseased part, cut off a leg on this side and an arm on that, until you have so mutilated its fair proportions that it withers and dies, or hobbles out a miserable existence, 'the pity of its friends and the scorn of its enemies.'"

With telling irony he reviewed the "Whig sins," and, in anticipation of the Presidential election, dealt some hard blows at the candidate of that party, and its inconsistency in adopting him. "Of General Jackson it was said that it were better that war, pestilence, and famine should visit the country, than that a military chieftain should be chosen to ride over it. And yet," said Brown, "by the same men we are exhorted to vote for General Harrison because he is a military chieftain." He concluded this exceedingly effective speech by dignified

allusions to Webster and Clay,—with whom he had no sentiment in common, but whom, as Americans, he was proud to honor,—and by a striking and more passionate tribute to the genius and patriotism of Calhoun. I have dwelt on this speech; for it was, to a great extent, the platform on which Mr. Brown presented himself, not alone to his State, but to the Union, and that upon which he entered with his accustomed vigor into the Presidential contest. “Many of his speeches were remarkable specimens of stump oratory; and, though they failed to carry the State under the weight of Mr. Van Buren’s name, they did not fail to add greatly to General Brown’s character as a speaker.”

On the 12th of January, 1841, Mr. Brown contracted marriage for the second time,—the lady being Miss Roberta E. Young, youngest daughter of the late General Robert Young, of Alexandria, Va.

Taking fresh cares upon himself, and his personal interests having been neglected, Mr. Brown declined a re-nomination to Congress. He felt confidence, however, in the Democracy of his State; he felt that the defeat was but temporary; and the elections in November, 1841, sustained his views. Though barely eligible, on account of his youth, he was elected a Judge of the Circuit Court,—men of every shade of opinion supporting him; so that his distinguished competitor, Judge Willis, was beaten by nearly three votes to one. Serving as Judge for two years, he resigned upon accepting the nomination for Governor. For this position he again—being just thirty years old—was barely eligible, according to the Constitution of Mississippi. The Gubernatorial campaign was conducted on the “Union Bank Bond” controversy, which grew out of “a difference of opinion in regard to the State’s liability to pay a class of bonds issued in her name.” Judge Brown held that the people should not pay them by taxation, as they were issued in violation of the Constitution. He had two competitors in the field, one—Colonel Williams—an ex-United States Senator from that State, and an independent bond-paying Democrat, and Mr. Clayton, the regular Whig nominee. The fight was a great one, but just such as Judge Brown could desire. The odds seemed greatly against him; but it is enough to say he was elected,—beating both competitors together by 2300 votes.

As Governor during two terms, his administration was fortunate and memorable. His triumphant election put an end to controversies that had greatly delayed internal progress. When he entered upon his office, the State officials were paid in paper called "Auditor's warrants," then depreciated fifty to fifty-five per cent.; at the end of two years the warrants were at par with specie. He found the treasury bankrupt; and at the close of his second term he left in it a surplus of several hundred thousand dollars. The cause of education and the establishment of the common-school system commanded his most zealous advocacy; and, though not completely carried out by the Legislature, his recommendations had most healthful results. Under his direction, the State University was set in motion; and so fruitful in other respects was his first term that at its close no one would enter the field against him. His second term being about to close, Governor Brown was, without opposition, elected for the Fourth Congressional District.

When he took his seat, in the latter part of January, 1849, the House of Representatives was in the midst of the excitement growing out of the Mexican War. He defended the war. He admitted that the annexation of Texas caused it, although Mexico had no right to complain of the annexation. Daniel Webster had said that, after the events of 1836 and the battle of San Jacinto, Mexico had no right to regard Texas as one of her provinces; that it must be fairly admitted that Texas was by this and foreign countries acknowledged to be an independent State among the States of the earth; and that he therefore would not admit that Mexico had any cause of complaint. Governor Brown gave a vivid history of the growth and cause of the war, and scornfully held up the Opposition, who refused to raise money to carry it on by a loan, an issue of treasury-notes, and a duty on tea and coffee. He thought the logic and sympathy of Mr. Wilmot, of Pennsylvania, Mr. Smith, of Indiana, Mr. Marsh, of Vermont, and others, strange and incomprehensible. They would tax the poor man's hat, shoes, shirt, plough, axe,—every thing, in fact,—for the benefit of the manufacturer; but their sympathetic hearts would not permit them to tax his tea and coffee to support their Government in a war.

"You would," he cried, addressing the Opposition, "send him shoeless, hatless, shirtless, to cultivate his ground without implements, unless he pays tribute to the manufacturers; only give him tea that is not taxed, and you are satisfied. You would lay his diseased body on a pallet that is taxed; give him taxed medicine from a spoon that is taxed; give him untaxed tea in a cup that is taxed; he dies, and you tax his winding-sheet, and consign him to a grave that is dug with a spade that is taxed, and then insult his memory by saying that you gave him untaxed tea. . . . For me and my people, we go for the country. We write on our banner, 'Millions for defence, but not one cent for tribute.'"

From that time to the present, Governor Brown has been a prominent member of Congress, increasing in strength and influence, and giving his opinions and counsel on all the leading topics which have agitated our political world. He was in favor of the Bounty-Land Bill, believing that if any class of the public servants are better entitled than another to the special regard of the law-making and bounty-dispensing power of Government, it is the soldiers. He has no objection to the Government selling land to those who are able to pay for it, at a moderate price; but he protests against "national land-jobbing." To his mind "there is a national nobility in a republic's looking to the comfort, convenience, and happiness of its people; there is a national meanness in a republic's selling a poor man's home to his rich neighbor because that neighbor can pay a better price for it."

In the discussion of the Cuba question, in 1853, Governor Brown very markedly defined his position relative to the acquisition of that island. A strong reason for the acquisition was that it would result in the instantaneous abolition of the foreign slave-trade. He desired an outlet for slavery, because he desired its extension,—beholding in such extension "safety to the South and no harm to the rest of the Union." Rhode Island, Massachusetts, New York, and Pennsylvania "were slave-holding States; but they sent their slaves South and sold them, and then boasted of making their States free." Virginia, Maryland, and the border States were undergoing the same process. The slave population was multiplying rapidly; and, said Governor Brown,— "when they have become profitless or troublesome, we, too, want a South to which we can send them. We want it; we cannot do without it; and we mean to have it."

At the close of the Thirty-Third Congress, Governor Brown

desired to retire to private life and his profession; but his State demanded his presence in a still higher position. The Legislature elected him a United States Senator, a vacancy occurring from the failure of the previous Legislature to elect a successor to Senator Walter Brooke, whose term expired in 1853. He took his seat as Senator on January 26, 1854.

Governor Brown voted for the Kansas Bill in the Senate of the United States in May, 1854, although he expressed himself not entirely satisfied with it. He respected the Constitution more than a compromise, and, as he said, acquiesced in the Compromise of 1850, just as we all did in the Compromise of 1820, without approving it; and in February, 1858, supporting the admission of Kansas under the Lecompton Constitution, he said, "I accepted the Compromise of 1854, I say, reluctantly in the beginning; but, having accepted it, I made up my mind, as a man of honor, to abide by it." He voted for the so-called English Bill, desiring "to see this question settled on the terms proposed," although he did not like the terms. He believed, however, the bill had a tendency to heal pending difficulties, and give peace, to some extent, to the country.

In 1855, an expression of Senator Brown's views in reference to the American party having been invited by J. S. Morris, Esq., editor of the Port Gibson *Reveille*, the result was the "Letter against Know-Nothingism," in which the Senator from Mississippi reviewed the new organization, and most eloquently and emphatically denounced it as tending to revive the worst characteristics of the Jacobins, the Star-Chamber, and the Inquisition. The effort to excuse secrecy by citing the example of Free Masons and Odd-Fellows, Senator Brown showed to be weak and futile, for "things to be compared must have some sort of resemblance to each other. Free Mason and Odd-Fellow associations are purely charitable; Know-Nothings are exclusively political. We have the highest Christian example for dispensing charities in secret, but the same authority teaches us to govern openly." The next paragraph is the index to the spirit and tone of the whole letter:—

"I am American enough to prefer my own countrymen to any other, and Protestant enough to prefer a follower of Luther to a disciple of Loyola. But my love of country will forever keep me out of any asso-

ciation that (if fame speaks truly) binds its members by terrible oaths to sustain American Protestants for office, though they may be fools, knaves, or traitors, in preference to Irish or German Catholics, though they may have genius, honor, and the highest evidences of patriotic devotion to our country and our institutions. All other things being equal, I should certainly prefer an American Protestant to an Irish Catholic. But I will take no oath, nor come under any party obligation, that may compel me to sustain a fool or a knave in preference to a man of sense and honor. While I assume no censorship over other men's thoughts or actions, I am free to say, for myself alone, that such oaths and such obligations are, to my mind, palpably at war with man's highest and most sacred duty to his country."

Senator Brown has declared himself in favor of the abolition of the franking-privilege. Touching the Pacific Railroad, he doubts the constitutionality of its being done by Congress, "unless there be direct and immediate necessity" for it as a means of national defence, and he believed (January, 1859) that no such necessity existed. He believes in the protection of slavery in the Territories, on the basis of the Dred Scott decision by the Supreme Court,—that slaves were property, and that slaveholders had the same right to carry their slave property to the Territories that any other citizen from any other State had to carry any other kind of property; and that, when there, the Government should protect it. In the running discussion consequent upon his speech on this subject, (February 23, 1859,) and in reply to interrogatories from Northern Senators, Senator Brown declared that he utterly, totally, entirely, persistently, and consistently repudiated the whole doctrine of Squatter Sovereignty, by which, said he, "I mean Territorial Sovereignty. I utterly deny that there is any sovereignty in a Territory."

Senator Brown is very much beloved by his State, and the great secret—which is no secret—of his success and influence is the direct and energetic manner in which he carries out what seems right and just. His speeches strongly partake of those characteristics which have led him to the front rank of Southern statesmen,—a prompt eloquence and a disregard for policy when weighed against conviction. The following passage, concluding his speech at Hazlehurst, Mississippi, in September, 1858, on his return from the exciting scenes of the first session of the Thirty-Fifth Congress, may fitly conclude this personal and political sketch:—

“I have no silly aspirations for the Presidency, and therefore have no occasion to suspect that my judgment has been warped by ambition. I am ambitious, but my ambition does not lead me toward the Presidency. That is the road to apostasy: I would rather be the independent Senator that I am, and speak for Mississippi, than be President, and be subject to the call of every demagogue and compelled to speak for a heterogeneous mass with as many opinions as the rainbow has hues. Whenever the South can no longer rely on the National Democracy, and feels that the time has come for her to go it alone, I will stand for her if she can find no son more worthy of her confidence. But I never will consent to compromise my principles, or flatter Free-Soilers for their votes. When it comes to that, I stand out.”

One of Governor Brown's biographers, before quoted, says, As a Senator he has been eminently national in his course. If to the casual observer he has sometimes appeared a little sectional, it must be borne in mind that he comes from the South,—a section against which Abolition has directed its batteries,—and that it was his duty, as it was his pleasure, to defend that section.

Senator Brown was re-elected for six years, commencing March 4 of the present year, (1859.)

SIMON CAMERON,

OF PENNSYLVANIA.

It is one of the happiest results of our institutions, that none can claim respect or command public confidence on account of parentage. No prominent position can be gained by inheritance: every man must, so to speak, be his own father. The history of Simon Cameron is an illustration of this fact. He is one of the large number of our public men who, besides the disadvantage of early orphanage, have had to struggle against poverty and obscurity. All he is he has made himself.

Descended from the hardy Cameronians of Scotland, the subject of this sketch possesses many of the acute and persistent characteristics of his race. His great-grandfather, Donald Cameron, was among those who sided with the unfortunate but chivalrous Charles Edward. He took part in the famous battle of Culloden in 1746, and soon after that disastrous fight emigrated to America. Arriving here, he served in the army, and was present at the storming of the Heights of Abraham, at Quebec, under the gallant Wolfe. On the maternal side his grandfather was a German Huguenot, who, being subjected to religious persecution, sought in this country that toleration which he could not find at home. He soon actively engaged in the service of his adopted country, took a distinguished part in the Indian wars of those days, and became the intimate friend and companion of the famous Captain Sam Brady, whose great achievements as an Indian fighter are so well known.

The father of Senator Cameron was in an humble occupation, but had the reputation of being an honest, industrious, highly-intellectual, and much-respected citizen. In consequence of the financial revulsions about the beginning of the present century, he was overwhelmed in ruin, in the crowding shadow of which he sank into the grave, leaving his family in very destitute circumstances.

At the death of his father, which occurred in Northumberland, Pennsylvania, Simon Cameron was about nine years old, having been born in 1799, at Lancaster in the same State. Thus deprived of their natural guardian and protector, and left in a state of almost absolute destitution, it was impossible for the children to enjoy even the poor advantages of the then existing system of school-education. The mother, though possessed of great energy and a courage the most unfaltering, had more than enough to do to feed and clothe and keep together her little ones until they might be able to provide for themselves.

Discouraging and unpropitious as were these dismal circumstances, they had no disheartening effect or influence on the mind of Simon; on the contrary, they stimulated him to exertions proportionate to the obstacles to be overcome. He thirsted for knowledge, and, having once found the way to satisfy this growing appetite, spent, from his boyhood, every leisure moment in reading. He soon devoured every thing in the shape of a book he met with, and, there being then no well-furnished libraries accessible to boys, as there are now, he directed his attention to the village printing-office. The exchange newspapers contained a mine of information, and from it he determined to dig out the jewels. The knowledge to be obtained in this was of a useful and practical character, and he eagerly devoted himself to its acquisition. An opportunity offering, he apprenticed himself to the printer, and for a couple of years enjoyed the benefits of his position. At that time (in 1817) his employer succumbed to financial reverses and closed his establishment.

Having arrived at the age of eighteen, and acquired a good stock of practical knowledge, he was emboldened to commence life with a confident reliance upon himself. Almost penniless, and with a little bundle of clothing under his arm, the youth started out, with the intention of working his way—how, or in what manner, he hardly ventured to imagine—to South America, and joining in the struggle for independence which was then going on between the South American colonies and Old Spain. His intention was frustrated. When he reached Harrisburg, he found his feet so blistered, and his energies so exhausted, that he could proceed no farther, at least for several days. To subsist during this period, was the next consideration. Having a

letter of introduction to James Peacock, Esq., editor of a paper in the town, Cameron applied to that gentleman for employment. There was no vacancy; but Mr. Peacock kindly offered him a place for a few days, to enable him to recruit. This was all the young man desired; but the editor, finding him an expert workman, and being otherwise pleased with his demeanor, offered to take him as an apprentice in the printing-office, which was promptly accepted. Thus our young hero settled down to "sticking type" instead of sticking the Spaniards; and so fulfilled the terms of his apprenticeship.

Having arrived at his majority in 1820, Mr. Cameron left Harrisburg, and spent the greater part of that year in a printing-office at Doylestown. The next year he was employed as a journeyman printer in the office of Messrs. Gales & Seaton's "National Intelligencer," in the city of Washington. In 1822 he returned to Harrisburg, and entered into partnership with his former employer, Mr. Peacock, in the publication of the "Intelligencer" of that place, which was then the organ of the Democratic party at the Pennsylvania seat of government, and enjoyed the official patronage of the State Administration. Thus has the graduate of the printing-office placed his foot firmly on the ladder of fortune. With what skill and ability he performed the important duty he thus assumed, his success in the undertaking, and his rapid rise to influence and power in the State, will sufficiently demonstrate. He took a very active part in the contest for the Gubernatorial nomination of the Democratic party in 1823, and was mainly instrumental in nominating and electing John Andrew Shultz. In return, Governor Shultz appointed Mr. Cameron Adjutant-General of the State. While he had editorial charge of the "Intelligencer," he efficiently advocated the protection of American industry. During the memorable contests in Congress on the subject in 1823-24, and again in 1827-28, the columns of his paper were filled with articles "proving the Democratic character of a tariff for the protection of American labor, and showing that no nation ever flourished that did not encourage and protect its own labor and develop its own resources."

Relinquishing the charge of the "Intelligencer," General Cameron turned his attention to business matters. In 1832, the Middletown Bank was established. He then became, and still

continues to be, its principal officer. Though chiefly occupied for the next thirteen years in his banking-business, he ever took a lively interest and active part in the political movements of the day. During this period, he was repeatedly urged to be a candidate for public position, and on one occasion was unanimously nominated for Congress by the Democratic party of his district, but on all occasions declined the proffered honors.

In 1845, when James K. Polk, the President elect, tendered the State Department to Mr. Buchanan, and the latter gentleman resigned his seat in the Senate of the United States, an election to supply the vacancy became necessary. The Democratic party, having a majority in both branches of the Legislature, then in session, counted with confidence on selecting a Senator who would sustain the new Administration at Washington. But it became apparent, even before the President was installed in office, that the policy of the Administration would conflict with the position of Pennsylvania on the Tariff question. Great difficulty arose in the caucus of the Democratic members. A majority were disposed to nominate a Senator who would sustain the National Administration; while a minority were determined to refuse any one not pledged to the industrial interests of Pennsylvania. After much discussion, George W. Woodward finally became the caucus nominee, which was regarded by all as a Free Trade triumph in the State, and rendered it certain that some other Democrat, known to be devoted to the Tariff policy of the State, could be elected by a union of the Whigs and the Protection Democrats. In view of this condition of affairs, James Cooper, John P. Sanderson, Jasper E. Brady, Levi Kline, John C. Kunkel, and other Whig members of the Legislature, on the morning of the day fixed for the election, addressed a note to General Cameron, propounding certain queries as to his views on the subject of the Tariff, and the course he would pursue if elected Senator. In reply, Mr. Cameron said,—

“I have long since matured and avowed my opinions. During the recent Presidential election, the Tariff of 1842 was much discussed. The Democratic party of this State took a decided stand in favor of this measure. The leading interests of the State are involved in its preservation. The people, without distinction of party, concur in desiring that its provisions should remain unaltered, and regard any attempt to

change them as hazardous to the interests of American industry. Supported by the Democratic party of the State in my views, and feeling the importance of the measure to Pennsylvania, I have no hesitation in declaring that I am in favor of the Tariff of 1842; and, if elected to the Senate of the United States, I will sustain it without change.

"The amount received into the Treasury from the public lands will not, for many years, be of much importance. Whether the proceeds of such sales should be distributed among the States, is a question that, in my opinion, will not for a long period be of much practical moment. The public lands are held in trust, however, for the benefit of all the States. In my apprehension, the best application that this State can make of her share in that trust would be its employment in the discharge of the State debts. I am, therefore, in favor of the distribution of the proceeds of the public lands, and, if elected, will support that measure."

These views being satisfactory, the Whigs and the Americans then representing the county of Philadelphia went into the Convention determined to support him in case he should receive a sufficient number of Democratic votes with this to secure his election. On the first ballot, Judge Woodward received 54 votes, being 13 less than a majority; Cameron received 11 votes, all Democratic. On the fifth, Cameron received 67, and Woodward 55 votes; 6, scattering. This unexpected result greatly distracted the Democracy, but proved a death-blow to the further progress of Free Trade in the State, and led to the overwhelming defeat of that party in the State elections of 1846.

General Cameron took his seat in the Senate, and occupied it until the 4th of March, 1849. During the term of his service, he distinguished himself as an active business member, and in consequence wielded a personal influence not surpassed by that of any other Senator. It is claimed by his friends that he not only remained true to the great interests of the State and the principles upon which he was elected, but that he fearlessly reflected, by his speeches and votes, the sentiments of the industrial classes, "whose rights and interests were about to be sacrificed."

In 1855—the Whigs and Americans having united in the fall of 1854 and elected a Governor and secured both branches of the Legislature—Senator Cameron became the caucus nominee for re-election. Owing, however, to internal feuds and divisions among the majority, the election was postponed, and finally held

over until the succeeding session of the Legislature, when, the Democrats meanwhile having obtained a majority, Ex-Governor Bigler was elected to the United States Senate.

In the session which opened January 1, 1857, Mr. Cameron was the nominee of the entire Opposition for the vacancy to occur by the expiration of Senator Brodhead's term on the 4th of March. The Democratic caucus, with great confidence, nominated John W. Forney, Esq.; but internal divisions in that party rendered it impossible to unite a sufficient number of Democratic members to elect him. The result was, Mr. Cameron was elected for a second term, and took his seat in the Senate on the 4th of March, 1857.

As a member of the Committees on Finance and Printing, his great practical qualifications and habits have secured him an enviable influence in all matters of legislation. Though reared in the Democratic ranks, he has been all his life the constant and devoted advocate of Protection. His position may be gleaned from a speech delivered by him in the Senate in July, 1846. He then felt proud of being a Democrat and the son of a Democrat. He represented a Democratic State, and he objected to the mode of fixing principles on the party. "I was taught in early life," said he, "to believe that the Democratic party was the friend of the poor,—of the laboring-classes; that its principles were calculated to elevate the masses; but the principles of this Southern Democracy would rob the poor man of his labor and make him dependent on the capitalists of England for his scanty subsistence. Such was not the doctrine of such Democrats as Jefferson, Madison, Monroe, or Jackson."

In the same speech he defined his position and that of his State. Pennsylvania was deeply interested in the development of her resources and in fostering the industry of her citizens. She had expended more than \$150,000,000 in making those resources available. She had expended more blood and treasure in two wars, and for the common defence, than any other State in the Union. She had never asked any favors from the Union, and had received but little benefit from it: even the fort built for the defence of her city, with the money of her own citizens, had been suffered to fall into decay by the General Government. She was proverbially Democratic,—so much so that no Democratic

President was ever elected without her vote: nay, she never gave a vote against a Democratic candidate until she believed that there was a settled design to desert her dearly-cherished rights. He was astonished that she should be charged with a want of Democracy because she opposed the bill before the Senate, (the Tariff Bill of 1846.) From one end of her domain to the other she did oppose it: and he justified her; for, so far as she was concerned, the bill could produce evil, and evil only. "No man," he said, "has ever presumed to ask her favor without admitting the justice and propriety of her views upon this subject; and I may add, Mr. President, woe betide the man who raises his hand against her now in the hour of her extremity."

During this month of July, Senator Cameron had presented several petitions from counties in Pennsylvania against removing the duties on coal, imports, &c. On the 23d, after the presentation of some others in the same strain, Senator Cameron dwelt on the fact that they came from counties which had given Democratic majorities. Senator Sevier, of Arkansas, said he regretted to find the Senator from Pennsylvania engaged in "panic-making;" but, said he, to do justice to the Senator, he (Mr. S.) was bound to admit that he did it with a pleasant smile, as though it was all a first-rate joke. A good deal had been said about coincidences; and there certainly was something like a coincidence in what was going on then. On the meeting of the Senate every day, first they had prayers by the Chaplain, then the reading of the Journal, and next an hour and a half consumed in the recital of a sort of funeral dirge from the pensioners of Pennsylvania. He had sat quietly and patiently while all that was going on, because the Senator himself appeared to think the whole thing a good joke. Was there, he asked, an intelligent man in Pennsylvania who at the last Presidential election did not know perfectly well what were the opinions of Mr. Polk in regard to the Tariff? Was there a single individual who did not then know that Mr. Polk was a Free-Trade man?

Mr. Archer, of Virginia, said, "They thought him a better Tariff man than Mr. Clay: that's all;" and, after some further remarks from Mr. Sevier, Senator Cameron replied.

He always smiled when his friend the Senator from Arkansas addressed the Senate on this subject. His wit was so

irresistible that it excited his risibilities, no matter how solemn the mood in which it found him. But he could not permit his friend to charge his State, or her citizens, with being dependants or pensioners on the Government. They were not, like Arkansas, or other States that he could name, constantly appealing to Congress for aid from the Treasury; for whose benefit some twenty bills were now on our files, asking for aid; and for whose benefit we had been called upon only yesterday for some \$50,000, without even a voucher, except that the money had been drawn for and expended. Alluding to some quotations made by Senator Sevier from previous remarks, Cameron said injustice had been done him. He did not say that a single person in Pennsylvania controlled 900 workmen. The workmen of that State were not controlled by their employers: they were freemen, and they could stand erect before their God, without being controlled by any one. The Senator from Arkansas had much mistaken the character of these petitioners when he compared them to the slave laborers of the South, as he did when he said that "laborers were the same everywhere." The laborers of Pennsylvania were white men; they were freemen; they were intelligent men; and they asked no favors from the Government but to be let alone in the enjoyment of their labor.

The Senator from Arkansas had charged the Senator from Pennsylvania with acting on this question with Mr. Webster. Mr. Cameron admitted that on this question they were together, and reminded Mr. Sevier—what seemed to have escaped his memory—that he (Sevier) and the Senator from Massachusetts had stood shoulder to shoulder on a question which was perhaps of still greater magnitude than this; which dismembered the nation; which took from this country and gave to Great Britain several degrees of latitude in the Oregon country. He wished his friend to reconcile that coalition before he charged other Senators with acting in the company of Whigs. As for himself, he was acting with the Democracy of his own State; and he desired to learn no new Democracy from gentlemen who compared his laboring fellow-citizens with the negro laborers of the South. A rumor was abroad about this time that letters had been received from Pennsylvania advising the repeal of the Tariff of 1842. Senator Cameron denounced the writers—if any letters

had been written—as men who would barter principle for office. He had heard, also, that the bill then pending was to become a law by the casting vote of the Vice-President,—Mr. Dallas. Cameron denied it, saying it could not be that “a native Pennsylvanian, honored with the trust and confidence of his fellow-citizens, could prove recreant to that trust, and dishonor the State that gave him birth. His honorable name, and the connection of his ancestry with her history, forbid it. His own public acts and written sentiments forbid it.”

“Truly national in his principles, views, and feelings,” writes John P. Sanderson, Esq., of Philadelphia, to me,* “General Cameron has yet never been so forgetful of the rights of free labor as to lend himself to its surrender to appease the aggressive spirit of slavery. Nor would he, on the other hand, lend himself to the infringement or violation of any constitutional rights of those enjoying the benefits of slave labor. He is no extremist on any subject. Schooled in the political creed of the Democratic party of Pennsylvania when it had for its main pillars such men as Simon Snyder, William Findlay, Abner Lacock, and their like, he has consistently maintained the principles of those great men.”

On the Slavery question, his friends claim for him the same position “which John Sergeant, James Buchanan, and other eminent men held in 1820, and have held until the introduction into Congress of the Kansas-Nebraska Bill by Senator Douglas.” Recognising all the compromises of the Constitution, and willing to concede to the South all the rights he thinks guaranteed by them, “he cannot and will not lend himself to slavery beyond the requirements of those compromises.” He recognises the power of the Federal Government to restrict slavery within its present limits, and deems it expedient to exercise that power if need be. During the Mexican War, though acting generally with the party in power, he voted for the Wilmot Proviso.

Senator Cameron opposed the Lecompton Constitution, and participated in the famous debate thereon in March, 1858. At

* Mr. Sanderson was one of the members of the Pennsylvania Legislature to whom Mr. Cameron owed his first election to the Senate. From him I have received valuable materials for this sketch.

one of the night sessions of that memorable debate, quite a scene took place, which gave rise to much newspaper gossip and expectation. Late in the night of the 14th of March, Mr. Green, the Senator from Missouri, who had charge of the Lecompton Bill, desired to perfect the last amendment he had to offer, and call a vote. Cameron objected to this hurry. He said he had striven to conciliate the opposite side, until he was disgusted. "Who is the gentleman from Missouri," he asked, "that he should dictate terms to us? Is he any thing more than our peer? He is certainly not the commander of the Senate. What right has he to come and say the question shall be taken now, or to-morrow, or any other day? This bill, I believe, came up here on the 18th of February. On the 20th, his side adjourned the Senate over until Tuesday of the next week, to attend a political pageant in the State of Virginia."*

Mr. Green denied the truth of this statement, and recriminations were speedy and mutual. The Vice-President interfered. Both Senators strove to speak, but the Vice-President called both to order. Though restrained, they were not silent, and, in the heat of debate, Cameron said Green told an "untruth;" and Green retorted by calling Cameron "a liar." Of course this created great excitement. Order having been restored, Mr. Cameron begged pardon of the Senate, avowed himself responsible to the Senator from Missouri for what he had said, and repeated that the whole matter before the Chamber had been carried out in a dictatorial and improper manner. In reply, Mr. Green denied that he arrogated to himself any superiority or command not properly belonging to him. He was merely the organ of a committee, and the responsible agent of the party on the question. The Senate sat all night until after six o'clock on the morning of the 16th, the night having been consumed by innumerable motions to postpone and to adjourn, on which the yeas and nays were taken. An occasional speech diversified the scene, until the majority yielded and allowed an adjournment.

The rumors of "the difficulty" between the Senators from

* It was the occasion of the inauguration of the Washington statue in the city of Richmond, Feb. 22.

Missouri and Pennsylvania brought quite a crowd to the Capitol on the following morning; but the lovers of excitement were disappointed, as the offensive expressions were withdrawn, and graceful interchanges of mutual respect took the place of the duello.

In conclusion, it is just, perhaps, to give the opinion of his friends upon his general position:—

His aspirations are to build up, not to tear down. He has a profound reverence for all the safeguards which long experience and sound wisdom have thrown about individual rights. His reliance is upon great and enduring principles. He confides in those which have formed the rule of his public life. No crisis, however fearful, surprises or disarms him. Cool and self-possessed, with a sagacity that can see, through the mists of the hour, the future to which it leads, he is ever prepared for any emergency. Ardent and spontaneous as are all his Democratic impulses, and strong as are his feelings of humanity, he never could be brought to lend himself to the destruction of established order, regardless of the happiness of those most nearly concerned. Nor would he do so with ruthless violence upon institutions which might stand in his way even in the assertion of right. His earliest political sentiments were formed under the instruction and in the intimate companionship of the wisest and most patriotic men of Pennsylvania. The principles he then imbibed from them have been his unerring guide through life, and are still those of the people of his native State, who have served so long as a moral breakwater between the opposing sentiments and passions of the Northern and Southern people.*

Senator Cameron has been connected in some degree with most, if not all, of the improvements in Pennsylvania. He projected the Harrisburg and Lancaster Railroad. To his energy its construction is largely indebted. The same may be said in connection with the Lebanon Valley Railroad; the Northern Central, from Harrisburg to Sunbury; the Tide-Water Canal,

* Address of the Philadelphia Cameron Club, an advance copy of which in MS. I have been kindly furnished with.

and a number of other valuable improvements. His business capacities are of the highest order, and enable him to perform a great amount of labor. As an illustration of this, it need only be remarked that he was at one and the same time president of two important railway-companies, cashier of a bank, and president of an insurance-company, all in successful operation; and the duties assigned to him in each were faithfully discharged.*

* Address of the Philadelphia Cameron Club.

SALMON P. CHASE,

OF OHIO.

THIS widely-known and distinguished leader of the Republican party was born in the State of New Hampshire, at Cornish, January 13, 1808. About 1815, his father removed to Keene, with which place the earlier school-boy days of Chase are associated. But two years, however, had rolled over until our boy was an orphan; and a few years later he was taken to that great State of the West with which his name is now an historical boast. At twelve he was taken to Worthington, Ohio, and his uncle, Philander Chase, then Episcopal Bishop of that diocese,—with whose entertaining “Reminiscences” the general reader is acquainted,—undertook and superintended his education. He was prepared for, and entered at, Cincinnati College, of which the bishop had accepted the presidency. He only remained a year in Cincinnati, when he returned to his mother’s home in New Hampshire, and in his sixteenth year entered the Junior Class of Dartmouth College, where he was graduated in 1826.

Determined to turn his acquirements to immediate account, he proceeded to Washington, and opened a classical school for boys, and was patronized by many eminent men,—among others, by Henry Clay, William Wirt, and Samuel L. Southard, whose sons were intrusted to his care. Having studied law under Mr. Wirt while earning a livelihood as a teacher of the dead languages, he closed his school on attaining his majority, in 1829, and was admitted to the bar of the District of Columbia. He practised little, if any, here, but, thinking the West afforded a better field for his talents and ambition, returned to Cincinnati in the spring of the following year, and took up his permanent residence there as a practitioner at the bar.

The inducements which attract young men of energy and cultivation to the West also render competition in that region, in

almost every phase of life, very great. As a consequence, the embarrassments are not few, and the difficulties to be surmounted task the best energies of the best men. If Mr. Chase had his share of embarrassments, he also had more than the average amount of intelligence, and the industry to make it available. Hence, while looking out for cases, he was also looking up the laws of the State, and, not finding them as he thought they ought to be found, he set to work and prepared an edition of the Statutes, accompanied them with copious annotations, and prefixed to them an historical sketch of the State,—the whole occupying three large octavo volumes. Success attended his labor: his edition soon superseded all other editions of the Statutes, and is now the received authority in the courts.

The necessary reading and study for his work brought him valuable acquisitions of available knowledge, and its publication brought him reputation. Then, again, the latter won him business, and the former the power to hold it and make him successful. He thus acquired a valuable practice, and early in 1834 we find him solicitor of the Bank of the United States in Cincinnati, to which was soon added a similar position in connection with one of the city banks. Thus was the foundation of his fortune laid.

In 1837, Mr. Chase came prominently forward in the advocacy of those ideas with which his name is now so widely identified. Acting as counsel for a colored woman who was claimed as a fugitive slave, he made an elaborate argument controverting the authority of Congress to impose duties or confer powers in fugitive-slave cases on State magistrates,—“a position in which he has since been sustained by the Supreme Court of the United States,—and maintained that the law of 1793 relative to fugitive slaves was void, because unwarranted by the Constitution of the United States.” In the same year he defended James G. Birney, who was prosecuted by the State for harboring a negro slave. The case was tried before the Supreme Court of Ohio, and Mr. Chase argued that slavery was a local institution, and dependent on State law for its existence and continuance; and that the slave, having been brought within the territorial limits of Ohio by one claiming to be her master, was, in fact and by right, free. In 1838, he followed up these arguments by a review, in a news-

paper, of a report emanating from the Judiciary Committee of the State Senate, which took grounds against granting slaves the trial by jury.

Outside of the political reference of the legal question he discussed, Mr. Chase had taken but slight part in politics until 1841. He had not settled himself into a party man. Sometimes he voted with the Democrats, but more generally with the Whigs; and this because the Northern Whigs appeared more favorable to Anti-Slavery doctrines than their political antagonists. He supported Harrison for the Presidency in 1840, but "the tone of his inaugural address, and, still more, the course of the Tyler Administration, convinced him that no effective resistance to the encroachments of slavery was to be expected from any party with a slaveholding and pro-slavery wing, modifying, if not controlling, its action. He had made up his mind. His day for giving a stray vote with the Democracy was gone, and the time for fully organizing a distinct party, pledged to Anti-Slavery views, had come." He, with others, in 1841, called a convention of those opposed to slavery and slavery-extension. The convention met in December of that year, organized the "Liberal party of Ohio, nominated a candidate for Governor, and issued an address defining its principles and purposes." Mr. Chase wrote and reported this address, which has an historical importance in being one of the earliest expositions of the political warfare against slavery. In 1843, Mr. Chase was an active participant in the "National Liberty Convention," which assembled at Buffalo. He was on the Committee on Resolutions, to which was referred, under a rule of the Convention, a resolution proposing "to regard and treat the third clause of the Constitution, whenever applied to the case of a fugitive slave, as utterly null and void, and consequently as forming no part of the Constitution of the United States, whenever we are called upon or sworn to support it." This resolution was opposed by Mr. Chase, and was not reported by the committee. Having been moved, however, in Convention, it was adopted by that body. Senator Butler, of South Carolina, afterward charged the authorship and advocacy of the resolution on Mr. Chase, and denounced the doctrine of mental reservation apparently sanctioned by it. Chase replied, "I have only to say I never pro-

posed the resolution: I never would propose or vote for such a resolution. I hold no doctrine of mental reservation. Every man, in my judgment, should speak just as he thinks, keeping nothing back, here or elsewhere."

In the same year, "the great Repeal year," as it was called, Mr. Chase was designated to prepare an address on behalf of the friends of Liberty, of Ireland, and of Repeal, in Cincinnati, to the Loyal National Repeal Association of Ireland, in reply to a letter from Daniel O'Connell. In it he reviewed "the relations of the Federal Government to slavery at the period of its organization, set forth its original anti-slavery policy, and the subsequent growth of the political power of slavery, vindicated the action of the liberal party, and repelled the aspersions cast by a Repeal Association in Cincinnati upon anti-slavery men."

The Southern and Western Liberty Convention held in Cincinnati, June, 1845, originated with Mr. Chase. He desired to embrace "all who, believing that whatever is worth preserving in republicanism can be maintained only by uncompromising war against the usurpations of the slave-power, are, therefore, resolved to use all constitutional and honorable means to effect the extinction of slavery in their respective States, and its reduction to its constitutional limits in the United States." There were two thousand delegates present, and over twice that number of spectators. As chairman of the committee, the projector of the movement drew up the address, embracing a history of the Whig and Democratic parties in their relation to the Slavery question, recommending, as a political necessity, the formation of a party pledged to the overthrow of the Southern institution, and showing what to the writer seemed the natural and necessary antagonism between Democracy and Southern interests.

Mr. Chase was now a widely-known champion of the growing anti-slavery party. He was associated with the Hon. W. H. Seward in the defence of John Van Zandt, who was arraigned before the United States Supreme Court for aiding in the escape of slaves. In this case Seward made one of his most eloquent efforts; and Chase followed up the arguments suggested by the above outline of his views on the subject in a still more elaborate manner, contending that, "under the Ordinance

of 1787, no fugitives from service could be reclaimed from Ohio unless there had been an escape from one of the original States; that it was the clear understanding of the framers of the Constitution, and of the people who adopted it, that slavery was to be left exclusively to the disposal of the several States, without sanction or support from the National Government; and that the clause of the Constitution relative to persons held to service was one of compact between the States, and conferred no power of legislation on Congress, having been transferred from the Ordinance of 1787, in which it conferred no power on the Confederation and was never understood to confer any." He was subsequently engaged for the defence in the case of *Dieskell vs. Parish*, before the United States Circuit Court at Columbus, and argued the same positions.

Mr. Chase attended a second "National Liberty Convention" in 1847, and, in expectation that the agitation of the Wilmot Proviso would result in a more positive movement against slavery-extension, opposed the making of any national nominations at that time. He anticipated the Whig and Democratic Conventions in 1848, by calling a Free-Territory Convention, which resulted in the Buffalo Convention in August, and the nomination of Martin Van Buren for the Presidency.

On the 22d of February of the following year, Mr. Chase was elected to the United States Senate, receiving the entire vote of the Democratic members of the Legislature, as well as a large number of the Free-Soilers. Agreeing with the Democracy of Ohio, which had, by resolution in Convention, declared slavery to be an evil, he supported its State policy and nominees, but declared that he would desert it if it deserted the anti-slavery position. He spoke at length, on the 26th and 27th of March, 1850, against the Compromise resolutions. Opening with a modest allusion to his coming from the private walks of life, without the advantage of previous public position or experience in legislative debates, he claimed consideration for his sincerity and the directness with which he would present his positions. He then proceeded to give a history of the Government in its relations to slavery. Senator Hunter had, on the day previous, remarked that the South had no cause of complaint against the North in regard to slavery until the year 1820,—the

date of the Missouri Compromise. However that might be, Senator Chase thought that we should go farther back if we wanted to trace to its source the controversy between slavery and freedom in this country. We must go two hundred years back, he said. It was in June, 1620, that a Dutch ship ascended the James River, bringing the first slaves into Virginia. In that same year the Mayflower brought the Pilgrim founders of New England to Plymouth Rock. Slavery was introduced into Virginia. Freedom was planted in New England. The contest between the despotic principle—the element and guarantee of slavery—and the democratic principle—the element and guarantee of liberty—commenced. After going through the documentary history touching the subject, an allusion to a monument to Jefferson gave rise to a striking passage, which all can appreciate. He did not know that Jefferson had a monument in Virginia. Senator Mason informed him that there was,—a granite obelisk; and Senator Seward remarked that the inscription was, “Here is buried Thomas Jefferson, Author of the Declaration of American Independence, of the Statute of Virginia for Religious Freedom, and Father of the University of Virginia.”

“It is an appropriate inscription,” said Senator Chase, “and worthily commemorates distinguished services. But, Mr. President, if a stranger from some foreign land should ask me for the monument of Jefferson, I would not take him to Virginia, and bid him look on a granite obelisk, however admirable in its proportions or inscriptions. I would ask him to accompany me beyond the Alleghanies, into the midst of the broad Northwest, and would say to him,—

Si monumentum quæris, circumspecte!

Behold, on every side, his monument! These thronged cities; these flourishing villages; these cultivated fields; these million happy homes of prosperous freemen; these churches; these schools; these asylums for the unfortunate and the helpless; these institutions of education, religion, and humanity; these great States,—great in their present resources, but greater far in the mighty energies by which the resources of the future are to be developed; these, these are the monuments of Jefferson. His memorial is all over our Western land:—

Our meanest rill, our mightiest river,
Rolls mingling with his fame forever.

“But what monument should be erected to those whose misapplied talents, energy, and perseverance have procured, or whose compromising timidity has permitted, the reversal of the policy of Jefferson? What inscription should commemorate the acts of those who have surrendered.

vast Territories to slavery; who have disappointed the expectations of the fathers of the Republic; who have prepared for our country the dangers and difficulties which are now around us and upon us? It is not for me, sir, to say what that inscription should be. Let it remain a blank forever."

He continued his speech on the following day, in review of the resolutions under discussion. He concurred in the decision to admit California with the boundaries claimed by her and the Constitution which she had adopted. He could have wished that she had been divided into two States. He opposed the propositions to connect the admission of California with the general settlement of the Slavery question, and to give the Utah and New Mexico Bill precedence over the California Bill. In regard to Texas, he thought the questions connected with the erection of new States within her limits, the liability of the United States for her debts, and the determination of her western and north-western boundaries, might be disposed of when they arose. He did not concur in any way with Mr. Webster in regard to the obligation to admit new slave States out of Texas. Webster had opposed the admission of Texas and denied the constitutionality of the resolutions of annexation. He was therefore startled when he heard the Senator from Massachusetts declare not only that he regarded the constitutionality of the admission of Texas as a matter adjudged, and not now open to question in any way, but that, when the proper time for the enactment should arrive, Congress would be bound to admit four new slave States out of Texas. Senator Chase denied the obligation. It was, he said, known at the time that the resolutions would not have passed except upon the assurance of Mr. Polk, President-elect, that he would adopt the alternative presented by them, which contemplated negotiation and a treaty. But Tyler, in the last days of his official power, took the matter out of the hands of the incoming President.

He was in favor of the abolition of slavery in the District of Columbia, and was surprised by the proposition "That Congress has no power to prohibit the slave-trade among the States." "Why, sir," said he, "that trade is prohibited now, except upon certain conditions. It is prohibited in vessels of less capacity than forty tons. Not a slave can be shipped coastwise without a permit from an officer of the United States; not a slave shipped

can be landed without a permit." Congress has a constitutional right "to regulate commerce among the several States;" and he thought, "if they can prohibit the trade in vessels of less than forty tons, they can prohibit it in vessels of one hundred,—five hundred,—altogether." He argued that the legislative power of Congress did not extend to the subject of the extradition of fugitive slaves, and, in his peroration, said, "I have never calculated the value of the Union. I know no arithmetic by which the computation can be made. We of the West are in the habit of looking upon the Union as we look upon the arch of heaven,—without a thought that it can ever decay or fall. With equal reverence we regard the great Ordinance of Freedom, under whose benign influence, within little more than half a century, a wilderness has been converted into an empire."*

He followed up this speech with others on the specialties contained in the Compromise resolutions in detail during the session, and moved an amendment against the introduction of slavery in the Territories to which Mr. Clay's bill applied; but it was lost by 25 to 30. An amendment to the Fugitive Slave Bill, to secure trial by jury to alleged slaves, also failed, by 11 to 26. He also moved to amend, by striking out the second section of an amendment made by Senator Davis, to "conform the provisions," in the words of Chase, "of the bill to the provisions of the Constitution," and illustrated his point thus:—"The Constitution provides that 'no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up.' The terms of the Constitution confine the right of reclamation to the taking of persons escaping from one State into another State. This section extends the remedy, or the right of reclamation, where it does not exist, to the Territories. That is the reason why I desire that it may be stricken out." After having been discussed, it was lost, by 1 to 44, Mr. Chase himself being the solitary "yea."

When the Democratic Convention of Baltimore nominated Franklin Pierce, in 1852, and approved the Compromise of 1850, Senator Chase dissolved his connection with the Democrats of

* See Congressional Globe, 1st Sess. 31st Cong. Appendix to the same, &c.

Ohio, and addressed a letter to B. F. Butler, of New York, suggesting and vindicating the idea of an Independent Democracy. He made a platform, which was substantially that adopted at the Pittsburg Convention in the same year. He continued his support to the "Independent Democrats" until the Nebraska-Kansas Bill came up. His action at this crisis is well epitomized by Mr. W. S. Thayer.*

In the general opposition to the Nebraska Bill, he took a leading part, and the rejection of three of his proposed amendments was thought to be of such significance as bearing on the Slavery question, that it may be well to state them. He first proposed to add after the words "subject only to the Constitution of the United States," in section 14, the following clause:—"Under which the people of the Territory, through their appropriate representatives, may, if they see fit, prohibit the existence of slavery therein." This was rejected: yeas, 10; nays, 36. The second proposed to give practical effect to the principle of popular sovereignty, by providing for the election by the people of the Territory of their own governor, judge, and secretary, instead of leaving, as in the bill, their appointment to the Federal Executive. This was defeated: yeas, 10; nays, 30. He then proposed an amendment of the boundary, so as to have but one Territory, named Nebraska, instead of two, entitled, respectively, Nebraska and Kansas. This was rejected: yeas, 8; nays, 34. His opposition to the bill was ended by an earnest protest against it on the night of its final passage.

During his Senatorial career, Mr. Chase advocated economy in the national finances, a Pacific Railroad by the shortest and best route, the Homestead movement, Cheap Postage, and held that the national treasury should defray the expense of providing for the safe navigation of the Lakes, as well as of the Atlantic and Pacific Oceans.

In 1855, Mr. Chase was elected Governor of Ohio, by the opponents of the Pierce Administration. His Inaugural Address, among other things, recommended single districts for legislative representation, annual instead of biennial sessions of the Legislature, and an extended educational system. At the next

* Author of the comprehensive article on Chase in the "New American Cyclopedia."

National Convention of the Republicans, the Ohio delegation, and several from other States, desired to nominate him for the Presidency; but, at his own request, his name was withdrawn. In his first Annual Message, after touching on the usual topics, he recommended a bureau of statistics, which was adopted. Governor Chase was re-elected to his high office by the largest vote ever given for Governor in Ohio.

Governor Chase is a ready and able debater. On his specialty he is powerful, and never fails to impress his hearers. He is forcible, eloquent, and wields a free and a copious diction. The last prominent exposition of his views on public questions is contained in an address delivered, August 25, 1859, to the people of Sandusky, in which, after elaborately discussing matters of State policy, he branched out into a review of national questions.

He referred to Mr. Buchanan's letter of a few years ago, in which he said that unless the Democracy put forth its strong arm and resisted the existing tendency to extravagance, the expenditures would, in a short time, amount to one hundred millions a year. Mr. Buchanan was elected in 1856. He put forth his strong Democratic arm, but it had an opposite effect to that which he had predicted. Instead of arresting extravagance, it propelled it; and in the first year of his Administration the expenditures of the Government were about sixty-five millions of dollars. They had already reached the enormous sum of fifty millions when he went into office. Now they were raised to sixty-five millions. In 1858, the strong Democratic arm was still extended and still in action, and the expenditures of the Government went up, instead of down, to eighty-one millions of dollars. In 1859—this year—this strong Democratic arm still extends, and the expenditures, according to the estimates, go up to ninety-one millions of dollars. Next year, when this strong Democratic arm will be still extended for the last time, there is every reason for the encouraging expectation that Mr. Buchanan's prophecy will be fulfilled, and the expenditures will be raised to over one hundred millions of dollars.

Reviewing the Slavery question, he believed the Lemmon case would be decided as the Dred Scott case was, if the Democrats gained the next Presidency. He severely criticized the Legislature of Ohio for repealing the acts against the Fugitive-Slave

Law. Reviewing the history of the Missouri Compromise and the growth of the Kansas agitation, he pictured President Pierce as completely at the mercy and direction of the South. When the South found that the Presidential patronage and the repeal of the Missouri restriction did not serve their purposes, they wanted a constitutional sanction for slavery everywhere.

"This," continued Governor Chase, "came from the Dred Scott decision. Now you have certainly got sufficient. You have got the Dred Scott decision, by which slavery is sanctioned in all the Territories; you have the Government so organized as to enforce these decrees. Then surely you are satisfied now. 'Oh, no: what is the use of having slavery established in all the Territories unless we have negroes to put there?' So Mr. Stephens said the other day in Georgia. Said he, 'I don't see that we have gained much unless we have negroes to put into the Territories. If you want,' said he, 'to put slavery in the Territories, you must have negroes to put there.' So they have revived the slave-trade already. The Government made some poor, puny, and ineffectual attempts to repulse it by a judicial proceeding at Charleston. What was the result? The slaveholders in the jury-box said, 'We don't recognise any law or Constitution which condemns the slavery which exists among us; and if you condemn the traffic in slaves in Africa, you equally condemn that traffic at home.' That is true. You cannot get away from that. Everybody has to admit that, and so these South Carolina men said, 'We are not a-going to condemn it at home, and therefore not abroad; and therefore we shall acquit these men.' And acquit them they did."

He held that the slave-trade was actually revived; and the question was, Would the Democracy consent to the repeal of the laws prohibiting it? They would say that they would not; but they had said so of the Missouri Compromise and of the Fugitive-Slave Law, and yet they did consent. If they had not an African, they had an American, slave-trade. People might deem his views but as imagination, but he did not dream when, in the Senate, he resisted the Fugitive-Slave Law, and foretold that the Democracy would inscribe it on their Presidential banner.

He branded as false the statement that the Republican party were unfriendly to the foreign-born citizens, and challenged scrutiny into his own career on the subject. His every act and word breathed the broadest spirit of liberality for all, regardless of the country of their birth; and in common with the Republican party he protested against any such discrimination as the Government proposed in the Cass letter.

In the name of the Republican party he also stood by the Homestead Bill; that is, he and they stood by the principle that it was a great deal better that the public lands of the country should pass into the hands of settlers; that they should have all opportunity to take up those public lands with little or no price, and cultivate them, the country looking for remuneration, not to the price of land, but to the increased wealth resulting from the settler's industry. It was the policy of the Republican party to have free homes for all. He avowed that the Democratic party in the State Convention endorsed it too; but what did they do at Washington? In solid phalanx they voted against it. All the slaveholders in the South, aided by a great body of the Democracy of the North, united in voting down that proposition.

Governor Wise, having been informed that certain combinations were being made in Ohio to follow up the attempted invasion of Virginia commenced at Harper's Ferry in October, wrote to Governor Chase on the subject. The reply of the Governor of Ohio was laid before the Legislature on the 6th of December, 1859. The following embraces the chief points:—

“Whenever it shall be made to appear, either by evidence transmitted by you, or otherwise, that unlawful combinations are being formed by any persons or at any place in Ohio for the invasion of Virginia, or for the commission of crimes against her people, it will undoubtedly become the duty of the Executive to use whatever power he may possess to break up such combinations and defeat their unlawful purposes; and that duty, it need not be doubted, will be promptly performed.

“I observe with deep regret an intimation in your letter that necessity may compel the authorities of Virginia to pursue invaders of her jurisdiction into the territories of adjoining States. It is to be hoped that no circumstances will arise creating, in their opinion, such a necessity. Laws of the United States, as well as the laws of Ohio, indicate the mode in which persons charged with crime in another State, and escaping into Ohio, may be demanded and must be surrendered; and the people of this State will require from her authorities the punctual fulfilment of every obligation to the other members of the Union. They cannot consent, however, to the invasion of her territory by armed bodies from other States, even for the purpose of pursuing and arresting fugitives from justice.”

For one who has been but one term in Congress, Governor Chase, like Mr. Bates, of Missouri, has a paramount hold on the affections of his party. His services there and elsewhere have done much to combine and elevate it.

HOWELL COBB,

OF GEORGIA.

HOWELL COBB was born at Cherry-Hill, Jefferson County, Georgia, on the 7th of September, 1815, and is the son of John A. Cobb, who, when quite a boy, removed from Greenville, N.C., with his father. The mother of the present Secretary of the Treasury, Sarah R. Cobb, was the daughter of Thomas Rootes, of Fredericksburg, Va. His uncle, Howell Cobb, after whom he was named, represented a district in Congress up to the second war with Great Britain, in which he served with distinction as captain; and a cousin, Thomas Cobb, having been a Representative from 1817, with slight intermission, to 1824, was Senator in Congress from that year until 1828.

At the age of nineteen, in 1834, the subject of this sketch was graduated at Franklin College. On the 26th of May of the following year he was married to Mary Ann Lamar, daughter of the late Colonel Zachariah Lamar, of Milledgeville. In 1836, Mr. Cobb was admitted to the bar; and the best proof of his immediate success and the confidence inspired by his abilities is to be found in the fact that, though barely of age and but a year in practice, he was in 1837 elected by the Legislature to the office of Solicitor-General for the Western Circuit of his State. In this position he had to meet the most competent and able gentlemen of the bar, and no doubt owes much of his present prominence to the cultivation of the resources he found in himself during this arduous but gratifying period of his career. It is said that his naturally cool judgment and almost intuitive legal perception made amends for want of experience; and certain it is that such information as I have been enabled to consult credits Mr. Cobb with having conducted the office with skill, vigor, and unvarying success. He held the place three years, and left it taking rank with the chief lawyers

and advocates in the State; and he failed not to avail himself of his prominence and reputation. For the next three years his attention to professional labor was unremitting and productive. Gifted with a quickness of perception, rapidity of thought, and force of expression engrafted on a sympathetic disposition that vehemently adopted his clients' rights and wrongs, Mr. Cobb's appeals to a jury were naturally strong and effective. Human nature has more power than legal technicalities. The crotchety few can understand the latter, the large-hearted many acknowledge the former. This was a chief secret of Mr. Cobb's success.

Speaking of the Georgia bar and the period at which Mr. Cobb "won his spurs" at it, a writer in the "Democratic Review" for 1849 says, "As a professional man, his character has been moulded by the combined influence of his own temperament and the customs of the country in which he for the most part practised. The Western (his) Judicial Circuit of Georgia has never been distinguished for devoted application to books. Situated in a broken and, in part, mountainous country, with a sterile soil and wretched roads, the people are simple and primitive in their ideas and habits, and to this day remain untouched by the progress of luxury or refinement. The character of its bench and bar has, as usual, assimilated itself to that of the country, and the proceedings of the court have been characterized by the same features. The '*viginti annorum lucubrationes*' have never been much valued there. Courts and juries in that region, therefore, are more influenced by the arguments of a strong though rough common sense than by the refinements and subtleties of legal learning. The bar, consequently, have been distinguished by a quick and clear apprehension of the prominent and controlling points of a case, and by force and eloquence in presenting them to courts and juries, rather than by the display of professional research and nice discrimination of shades of principle. Of this general character of the circuit Mr. Cobb is one of the finest examples, though, when forced by circumstances to resort to books, he readily shows that he can follow the law applicable to his case through the most intricate refinements,—which, however, is not the usual method of his practice. In common with his professional associates, he usually relies on a readiness and self-possession of which no surprise can deprive him, on a perfect under-

standing of the facts, and on a forcible application of the broad and fundamental principles bearing on his case.”*

In the Nullification agitation which so distracted Georgia and South Carolina, Mr. Cobb sided with Jackson, and, having thus early won reputation as a Union Democrat, the people of his district sent him to Congress in October, 1842,—it being his first entrance into any legislative body. In the early part of his Congressional career, he mingled sufficiently in the debates to master the details and duties of the new field upon which he was destined to achieve extended reputation. He was successively re-elected in 1844, '46, and '48, representing that portion of his State which, under the apportionment of the sixth census, was designated the sixth district. In the Twenty-Eighth and Twenty-Ninth Congresses, Mr. Cobb continued to devote himself to a perfect study of the management of the deliberations of the House. This information,—necessary above all other to a man who would succeed as a leader in any legislative body,—with the quickness of thought and readiness in resource which he possessed, began to direct attention to the young Georgian in moments of exigency. His business capacity acknowledged, the tenacity with which he clung to the policy of his party became of great service, and indicated him as a leader among much older politicians.

In the Thirtieth Congress,—from December, 1847, to March, 1849,—Mr. Cobb's position was still more broadly defined. As the lamented Drumgoole, of Virginia, failed in health, it became necessary that some one should supply his place as parliamentary leader of the Democracy in the House, “which for ten years that gentleman had filled without even the semblance of rivalry.” In the occasional contests over political points in the absence of Mr. Drumgoole, it was found that Mr. Cobb possessed more of the elements of a successful parliamentary leader than any other on that side of the House. Mr. Cobb is the first who, without previous service in a State Legislature, or long experience in that body, was suddenly, as it were, elevated to a party leadership in the House. Yet, says one who claimed to have carefully noted his career at Washington, “we are by no means surprised

* Democratic Review, September, 1849.

at the rapidity with which he has acquired his influence in the Hall,"—attributing his success to the possession of strong sense, never-failing good temper, an intuitive knowledge of men and things, general attainments, and an acquaintance with previous decisions upon mooted parliamentary rules and regulations far superior to those of any gentleman who had been a member of the House during the period alluded to. While Hon. Mr. Vinton, of Ohio, was the business leader of the Whigs, Mr. Stephens their resource in a severe party contest, Mr. R. C. Schenck their ready spokesman in the often-occurring impromptu passages at arms, and Mr. Hudson, of Massachusetts, their reliance upon questions such as the Tariff or Independent Treasury, Mr. Cobb was the "ever-watchful, ever-ready, and competent leader of the Democrats on all mooted party points."

In the midst of this absorbing duty, to which the representative from Georgia was early called, he found time to deliver carefully-prepared speeches upon leading questions from time to time. On the 14th and 18th of January, 1844, he made an able speech on the motion of his colleague, Mr. Black, for the re-adoption of the celebrated 21st rule. In this he upheld the South for its devotion to the Union, and the Northern Democracy for its constitutional position. Mr. Cobb held that "to refuse to receive petitions asking Congress to flagrantly violate the Constitution, or demanding the exercise of power notoriously not confided to it, was *not* an infraction of the fundamental principle of our political institutions, precluding the Government from passing any law by which the people should be prevented from meeting together in their deliberative assemblies, freely and fearlessly discussing the conduct and actions of their representatives and agents, and, if necessary, presenting the result of their deliberations in the form of a petition or remonstrance to any department of their Government." He also indicated the certain effects of the extension of Abolitionism at the North, and placed the responsibility of its growth on the Southern Whigs, who, for party purposes, refused to stand firmly against the measures of the anti-slavery advocates.

In May of the same year, Mr. Cobb addressed the House in Committee of the Whole on the Tariff question, advocating free-trade doctrine, and accusing the Whigs of the South of deserting

The extreme anti-Tariff views common to them in the days of Nullification, to subserve the purposes of New England capitalists. On the 22d of January following, Mr. Cobb defended the constitutionality of the annexation of Texas in an elaborate speech. On the 8th of January, 1846,—an auspicious day for the discussion of a national question,—he supported President Polk's views on the Oregon question, addressed himself forcibly to his Southern colleagues, and besought them to sink all sectional sentiments in the prime duty of voting as Americans contending for their right with a foreign Power. In 1848, Mr. Cobb followed up these broad national views by taking an active part in defending Polk's Administration against the attacks of the Opposition relative to the Mexican War. He demonstrated that the grounds upon which the Federalists in Congress were then undertaking to censure their own Government involved the grossest stultification; for if any branch of the Government had caused the war, Congress alone deserved to be held responsible. The original votes of the Whigs for annexation, notwithstanding the protest of their leaders, that it was equivalent to the adoption of a war with Mexico, the first vote of men and money for its prosecution, with the various remarkable incidents of the legislation of Congress upon these two momentous questions, furnished Mr. Cobb with so ample data for the exposure of the hollowness of the anti-war pretences of the Federalists, that no member of the Opposition ventured to reply to him.* The speech was extensively published and made a deep impression, "identifying the anti-Mexican-War spirit of the Federalists of our day with the *animus* of the Hartford Conventionists during the War of 1812." This effort was greatly appreciated by the Administration, placed Mr. Cobb high in the confidence of President Polk, "and secured for him the permanent and proud position, for so young a statesman, of being the leader of his party."

In July, 1848, pending the consideration of the Civil and Diplomatic Appropriation Bill, Mr. Cobb made another vigorous essay against the Federalists. He traced the rise and progress of the political organizations of the country, and showed what

* Dem. Rev. 1849, vol. xxv.

danger would result from the actions of either party when in power, unless checked by the bold watchfulness of an independent opposition. This speech was regarded as a triumphant vindication of the doctrine of Jefferson, that in party organization is to be sought the antidote for the evils threatening the Government and the people from the influences of demagogism and the encroaching spirit which, in all ages and under all systems, has characterized *all* rulers.

The session of 1848-49 was especially eventful to Mr. Cobb as a Southern man and representative. The following clear account of the political movement from which, though a Southern man, he thought it his duty to differ, is from an authentic source. It will be recollected that many of the Southern members, becoming alarmed by the more decided encroachments upon what they regarded as the constitutional rights of their constituents in the matter of slavery, manifested by several votes in the House of Representatives, called a meeting of Southern delegates in Congress, without distinction of party, to consider their common danger and deliberate upon the line of conduct proper on their part. This meeting or convention resulted in the promulgation of the Southern Address, signed by a large portion of the Democratic Senators and Representatives from the South. Mr. Cobb—who, since the times when he manfully sustained the integrity of the Union, as involved in Jackson's Nullification crisis with Mr. Calhoun, had been emphatically a *Union Democrat*, with others from the South—did not feel at liberty to sign that paper; and, finding their motives misrepresented, he and his colleague, Mr. Lumpkin, with Messrs. Boyd and Clarke, of Kentucky, published a joint address to their constituents. This was understood to be from the pen of Mr. Cobb, and set forth the motives of the signers in refusing their signatures to Mr. Calhoun's address.

The circumstances under which Mr. Cobb felt it his duty to pen this admirable paper were indeed peculiar. From his entrance into Congress he had been the efficient advocate and defender of the rights of his own section, as involved in the strict maintenance both of the letter and spirit of the slavery compromises of the Constitution. Believing in the great *constitutional* truths insisted on in the Southern Address, it was of

course the wish of Mr. Cobb to have felt at liberty to take ground with the signers of that paper. To enable him to append his name to it, he urged that its recital of the grievances of the South from Abolitionism should be full and just. It was his opinion that the occasion should be used to show the people of the South *precisely* how parties at the North had stood for years past upon anti-slavery questions, and that full justice should be meted to the administration of James K. Polk for the noble stand it had early taken and to the last defended, in the matter of Southern rights under the Constitution. All this the Address failed to do, representing the late Executive and the Southern members who voted for the Oregon Bill to have abandoned the constitutional platform upon the Slavery question involved therein. Deeply sensible of the debt of gratitude due from the South to that portion of the Northern Democracy which had steadily defended their rights, Mr. Cobb could not bring himself to sign a paper effectually classing them with the Abolitionists and Northern Whigs, and drawing no line of distinction between their course in this connection, and that of those who, for so many years, had steadily maintained positions side by side with Mr. Giddings or Mr. Jacob Collamer. Still other reasons forbade him from becoming a party to Mr. Calhoun's Address. He believed that the South should look to the supremacy of a national Democracy, administering in the Government Mr. Jefferson's readings of the Constitution, as her safeguard, her only reliable shield against anti-slavery encroachments. Thus believing, he was loath to join in a measure tending, evidently, to destroy the nationality of the Democratic organization.*

The election of General Taylor threw Mr. Cobb into the Opposition. The popular vote had gone against Cass, the Democratic candidate, not because it became dissatisfied with the war-policy of the last Administration, but because the manner in which General Taylor had carried out that policy captivated the people. The very election of the Mexican hero was a ratification of the Mexican War. Mr. Cobb had been the zealous friend and ardent supporter of General Cass for the Presidency. "Not only," says a recently-written biography of the present Secretary of the

* See Dem. Rev. vol. xxv.

Treasury,* “not only as the candidate of his party did he advocate his election, but he defended him upon every stump on the position he had taken upon the Slavery question in his letter known as the celebrated Nicholson letter; and that, too, when others of his friends either faltered in their support, or openly denounced his principles.”

Taylor and the Whigs had been in power nine months when the Thirty-First Congress assembled in December, 1849. In the House the Whigs were divided on a policy relative to the Slavery question and the Territories. The Democratic party was also divided on the same subject. Northern Whigs and Southern Democrats both claimed that their respective organizations at the North were alone faithful to the Constitution, which guaranteed equal rights to all sections. A climax had been reached; the question was to be tested and settled between them. The Free-Soilers, though but few in number, held the balance of power. The published lists of the day gave the House thus:—Whigs, 105; Democrats, 112; Free-Soilers, 13; and one vacancy in Massachusetts. From the 3d of December to the 22d, the House was engaged in the election of a Speaker, and the excitement which prevailed at Washington spread all over the country, and all parties were on the *qui vive*. At first, and for several days, the struggle seemed to be between Mr. Cobb and Mr. Winthrop, of Massachusetts, the former leading in the balloting, but without getting a sufficient number of votes. Mr. Cobb's name was withdrawn; and the Democrats, on the 11th of December, showed a disposition to unite on Mr. William J. Brown, of Indiana. On this day Mr. Winthrop withdrew; and on the 12th, a coalition having been nearly completed between the Democrats and Free-Soilers, Brown received 112 votes, none others receiving more than 26.

A motion by Mr. Stanly, (Whig,) of North Carolina, to appoint a committee to confer as to the choice of officers of the House, led to a discussion, which resulted in the election of Mr. Cobb. Mr. Bayly, of Virginia, placed the responsibility of the tedious contest for Speaker upon the Whigs, and the doubtful position their President held relative to the Slavery question.

* United States Democratic Review. New Series. Feb. 1858. Edited by Conrad Swackhamer, New York.

Stanly insinuated that something improper had taken place between the Democrats and Free-Soilers; and Bayly branded the rumor as without foundation. Mr. Ashmun, of Massachusetts, asked Mr. Bayly if a correspondence had not taken place between Mr. Brown and a leading Free-Soiler, in which the committees were pledged to suit the latter. After some further denial, Mr. Brown and Mr. Wilmot defined their positions, and two notes were exposed which had passed between them,—the latter pledging the Free-Soil vote if the Committees on Territories, Judiciary, and District of Columbia were constituted to suit him and his friends; and the former, in reply, accepting the proposition. Mr. Brown withdrew his name; Mr. Bayly, thanking Messrs. Stanly and Ashmun for leading to the discovery of the correspondence, declared he would not have voted as he did had he known of its existence; and the confusion was worse confounded than ever. The balloting proceeded—Cobb and Winthrop being the leading men—until the 22d, when, a resolution having been adopted in favor of the plurality rule, Mr. Cobb was elected on the 63d ballot, having 102 votes; Mr. Winthrop, 99.

At the period at which Mr. Cobb was elevated to the Speakership, the duties of the position were calculated to test the nerve and the intellect of the strongest and the ablest. That first session of the Thirty-First Congress was the longest on our Congressional annals.* It was also, up to the period, the most exciting. In the Compromise measures Mr. Cobb took a deep and earnest interest; and it is claimed for him that to none, living or dead, is the country more indebted for their adjustment. His position as Speaker precluded the possibility of his taking so prominent a public share in the arrangement as others, but he was untiring, as he was instrumental, in bringing about the final settlement.

In nearly every Southern State, opposition to the Compromise measures was manifested by the organization of a "Southern Rights" party. Georgia was an especial battle-ground for "Southern Rights." This party demanded a settlement with a wider basis than had been conceded. Mr. Cobb, having with

* It commenced on December 3, 1849, and continued until September 30, 1850,—a period of 302 days.

the strongest convictions upheld the Compromise, was placed in opposition to what seemed the ruling spirit of his State. Yet on the issue he was run for Governor at the conclusion of his Congressional term. His competitor was the Hon. Charles J. McDonald. The contest was bitter and acrimonious beyond precedent; and Mr. Cobb was elected as a Union man by the largest majority that was ever given in the State in any political contest.

As Governor, his past experience was of exceeding benefit to Mr. Cobb, and his administration is admitted to have been able and acceptable. At the end of two years he retired from the Gubernatorial chair to the practice of his profession in the district where he had previously resided.

In the contest which resulted in the election of Franklin Pierce to the Presidency, Mr. Cobb took an active interest. The Baltimore Convention endorsed the measures of 1850; old antagonisms were lost sight of in the union of the Democracy; and Mr. Cobb and those who had opposed him for Governor were now thrown shoulder to shoulder in the same party organization from which the causes above mentioned had dissevered them.

Mr. Cobb remained in retirement from the election of Pierce until 1855, when his old constituency again demanded his presence in Congress. He served on the Committee of Ways and Means with his usual ability, and was one of the most prominent actors and leaders on the side of the Constitution and the Union. He fully endorsed the nomination of Mr. Buchanan, and at various places addressed the people on the issues upon which the Democracy carried the campaign. At West Chester, Pennsylvania, he made a speech in September, 1856, which attracted much attention, as defining the difference between what was called "Southern Doctrine" and "Squatter Sovereignty." He held to the principles which he had always advocated,—the right of the people to self-government,—and avowed that he would carry them out, no matter how they would operate as regarded the incoming of Kansas under a slave or free State Constitution. Principles were dearer to him than the results of any election. "I stand upon the principle," he said: "the people of my State decide it for themselves; you for yourselves; the people of Kansas for themselves. That is the Constitution: and I stand by the Constitution."

Here a gentleman interrupted Mr. Cobb, with his consent, to inquire whether he meant that the people of the Territory, before forming their Constitution, should have the power to exclude slavery, or that they should have the power to pass upon it when they form their Constitution. He also desired that Mr. Cobb would explain not only his view of the subject, but also the view which was advocated by those who stood with him in the Southern States in support of Mr. Buchanan. Mr. Cobb, resuming, gave this clear and direct reply:—

“Fellow-citizens, there never has been, in all the history of this slavery matter, a more purely theoretical issue than the one involved in the question propounded to me by my friend; and I will show it to you. I will state to you the positions of the advocates of this doctrine of non-intervention, on which there are different opinions held; but I will show you that it is the purest abstraction, in a practical point of view, that ever was proposed for political discussion. There are those who hold that the Constitution carries all the institutions of this country into all the Territories of the Union; that slavery, being one of the institutions recognised by the Constitution, goes with the Constitution into the Territories of the United States; and that, when the Territorial Government is organized, the people have no right to prohibit slavery there until they come to form a State Constitution. That is what my friend calls ‘Southern Doctrine.’ There is another class who hold that the people of the Territories, in their Territorial state, and while acting as a Territorial Legislature, have a right to decide upon the question whether slavery shall exist there during their Territorial state; and that has been dubbed ‘Squatter Sovereignty.’ Now, you perceive that there is but one point of difference between the advocates of the two doctrines. Each holds that the people have the right to decide the question in the Territory: one holds that it can be done through the Territorial Legislature, and while it has a Territorial existence; the other holds that it can be done only when they come to form a State Constitution. But those who hold that the Territorial Legislature cannot pass a law prohibiting slavery admit that, unless the Territorial Legislature pass laws for its protection, slavery will not go there. Therefore, practically, a majority of the people represented in the Territorial Legislature decides the question. Whether they decide it by prohibiting it, according to the one doctrine, or by refusing to pass laws to protect it, as contended for by the other party, is immaterial. The majority of the people, by the action of the Territorial Legislature, will decide the question: and all must abide the decision when made. (Great applause.)

“My friend, you observe that—no matter what the issue which is presented—I stand upon a principle. There I planted myself in the commencement of this argument,—the right of the people to self-government. I intend to maintain it, to stand by it, to carry it out, to enforce it. If

it operate to the exclusion of the people of my section of the country from these Territories, be it so; it is the Constitution of the country, and they have no right to complain. If it operate in their behalf and for their protection, I call upon you to say, is it not right that they should have the benefit of it?"

During the Presidential canvass Governor Cobb visited several of the Northern States, where he forcibly and successfully vindicated the principles and policy of the Democratic party. Long a personal and political admirer of Mr. Buchanan, the advocacy "of his election was an agreeable labor. Upon the accession of Mr. Buchanan, one of his earliest acts was to tender the distinguished Georgian the post of Secretary of the Treasury. The Democratic party throughout the country approved of the appointment.

During the financial panic in 1857, a writer in a leading Opposition journal—the New York Courier and Enquirer—says, "I must do the Secretary of the Treasury the justice to say that he is doing all which expediency requires and the law permits at his hands to remove or mitigate existing evils. He is paying out money as fast as practicable and safe under the appropriation acts; and he is redeeming stocks with a promptitude never before exceeded."

On the 20th of April, 1858, E. Lafitte & Co., of Charleston, S. C., applied to the collector of that port "to clear the American ship Richard Cobden, W. F. Black, master, burthen 750 $\frac{3}{9}\frac{1}{5}$ tons, for the coast of Africa, for the purpose of taking on board African emigrants, in accordance with the United States passenger laws, and returning with the same to a port in the United States." The collector requested the opinion of Secretary Cobb; and he, considering the matter important, gave the matter careful attention, and complied. The question was involved in some embarrassment by the form of application. The applicants desired either to import Africans to be sold as slaves or bound to service; or else bring them here as other emigrants, to be entitled, on arrival, to the privileges of freemen.

Secretary Cobb showed that the statute-books gave conclusive evidence of general opposition to the continuance of the slave-trade. He referred to and quoted from the Acts of 1794 and 1800, both of which contemplate in general terms the prevention of the trade in slaves. "When," he writes, in continuation,—

“When, however, in 1807, and subsequent thereto, Congress undertook to prevent the importation of slaves into the United States, the language of the law was made more stringent and comprehensive. The first section of the Act of 1807 provides, ‘That from and after the first day of January, one thousand eight hundred and eight, it shall not be lawful to import or bring into the United States, or the Territories thereof, from any foreign kingdom, place, or country, any negro, mulatto, or person of color, with intent to hold, sell, or dispose of such negro, mulatto, or person of color, as a slave, or to be held to service or labor.’”

Was it a cargo of free negroes the Messrs. Lafitte were going to import? If so, they could not bring them to Charleston or any other port in South Carolina; for the laws were stringent and the penalties heavy against the introduction of free negroes into that State. Where were they to be landed, and what were the motives of the enterprise?

“It cannot be the profits of the voyage. There are no African emigrants seeking a passage to this country; and if there were, they have no means of remunerating Messrs. Lafitte & Co. for bringing them. The motive cannot be mere philanthropy; for it would confer no benefit upon these negroes to bring them to our shores, where, if permitted to land at all, it would only be to occupy our pest-houses, hospitals, and prisons. To believe, under the circumstances, that there is a *bona fide* purpose on the part of Messrs. Lafitte & Co. to bring African emigrants to this country to enjoy the rights and privileges of freemen, would require an amount of credulity that would justly subject the person so believing to the charge of mental imbecility. The conviction is irresistible, that the object of the proposed enterprise is to bring these African emigrants into the country with the view either of making slaves of them, or of holding them to service or labor.”

Mr. Cobb concluded by refusing a clearance. This course received the unanimous approval of the country.

It has been aptly remarked that the national record exhibits a galaxy of names rendered illustrious as heads of the Treasury Department, commencing with Alexander Hamilton, appointed by President Washington, 1789. Jefferson had his Gallatin; Madison his Dallas; Jackson his Taney and Woodbury; and Polk his Robert J. Walker. These have left behind them great examples; and the public career of Secretary Cobb indicates that “at the end of his term of service he will leave upon the record a name worthy of being classed as an equal with the most distinguished of his predecessors.”

In September, 1859, the Secretary made an official visit to New York, where he was warmly welcomed by the leading Democrats, and received the honor of a public serenade, which he accepted only on the condition that he would not be requested to speak. This visit was in connection with Mr. Cobb's "retrenchment" measure,—the reduction of the number of officials appointed to collect the public revenues there,—and *apropos* of which the Government organ says, "The Secretary of the Treasury has already done enough to show his determination to promote real economy in every branch of the service over which he can exercise any control. His reforms are acknowledged by those who at first doubted their efficacy and propriety to 'work well;' and he is among the last men in the nation to be diverted from what he regards as truly the public interest by 'interference' from any quarter."

JOHN J. CRITTENDEN,

OF KENTUCKY.

IN one of the interesting episodes of the famous Kansas-Lecompton debate of March, 1858, an allusion in the speech of Senator Green, of Missouri, brought to his feet the venerable Senator who occupied a seat immediately next the bar of the Chamber, and nearly on the extreme left of the Vice-President's chair. A man of medium height, and rather spare figure, his face is strongly marked, years and thoughtful experience completing the original outlines of nature. There is a warm, healthy flush over his features, as though a strong heart contributed to their sedate enthusiasm, and making a pleasant and picturesque contrast with the white hair that decorates his head. His manner is as marked as his features, disclosing earnestness and pathos; while his matter is presented with a freshness, vigor, and copiousness of language which command respectful attention. Even those who differ from the Senator's views yield to his eloquence. But it is when, rising above the sectionalities of debate, he invokes a national inspiration, and gives voice to it, that he is peculiarly affecting and effective, evoking from his hearers the tearful solicitude he portrays himself. On the present occasion, he speaks of himself, and his words consequently are especially interesting. The eyes of the Senators of all sides are inquiringly turned to him. The full galleries are expectant, and many a political enthusiast who slept in the lobbies—for it is the day after the midnight scene of splendor when Douglas addressed the Senate—is thoroughly awakened by the voice of the "old man eloquent." He said the Senator from Missouri was surprised at his feelings, and intimated that he had had bad schooling. Briefly reviewing the political points made by Senator Green, he said he knew his own defects, but did not like them to be attributed to the school in which he had been brought up.

"If my education is defective," he said, "it is on account of some defect in me, and not in the school. The gentleman is a young man, and a young Senator. I hope and wish for him a long life of public usefulness. He may have learned much more than I have done; and, if so, it only shows the superiority of his capacity to learn, for I am sure he has not been in a better school. Sir, *this* is the school in which I was taught. I took lessons here when this was a very great body indeed. I will make no comparisons of what it is now, or was then or at any other time; but I learned from your Clays and your Websters, your Calhouns and your Prestons, your Bentons and your Wrights, and such men. I am a scholar, I know, not likely to do much credit to the school in which I was taught; and it is of very little consequence to the world, or to the public, whether I have learned well or ill. It will soon be of no importance to this country or to anybody."

This proud yet modest speech creates an interest in the speaker on the part of those strangers in town who do not know his person or career. They naturally ask who he is; and a dozen voices, with some surprise and much gratification, reply, "Crittenden, of Kentucky."

He is the oldest Senator in the Chamber. It is more than forty years since he first entered it in a representative character. He was a Senator before Webster, Calhoun, and Benton, long—many years—before Wright and Preston. He was not the pupil, but the contemporary, of those men. He learned with, and not, as he modestly says, from, them. In the space allotted here, it would be impossible to give more than an historical outline of a career so extended, and embracing so many topics interesting to Kentucky and the Union. Of those latter-day measures, however, in which Senator Crittenden participated, and in view of which the positions of public men are now being canvassed, some detail is demanded.

John Jordan Crittenden was born in Woodford County, Kentucky, in September, 1786. His father had been an officer in the Revolutionary Army, and was accidentally killed by the fall of a tree, about the year 1806, while the subject of this sketch was still a student of law, and under age. The elder Crittenden was an early settler in Kentucky, and continued a farmer to the

time of his death. He had acquired a large estate in Kentucky lands, but it availed his family but little, and his children were left to the care of their mother, with but slender means of support.

Soon after his professional education was completed, J. J. Crittenden removed from Woodford to Russellville, in the county of Logan, and commenced the practice of the law.

When, at the call of General Harrison, Governor Shelby raised four thousand mounted men in September, 1812, John J. Crittenden was among the volunteers. He soon was in active service. The British and Indians had laid siege to Fort Wayne, intending to push on to Fort Harrison and Vincennes. Crittenden accompanied General Hopkins in his expedition on the Wabash, and returned in a few months, at the conclusion of the campaign, to his profession. In the following year he was among the Kentucky volunteers who marched to reinforce General Harrison on the Northwestern frontier. At the battle of the Thames, (October 5,) Crittenden served as aid-de-camp to Governor Shelby, who commanded an important point, and who, as Harrison wrote in his despatch to the Secretary of War, "at the age of sixty-six preserved all the vigor of youth, the ardent zeal which distinguished him in the Revolutionary War, and the undaunted bravery which he manifested at King's Mountain." In the same despatch, the services of Majors Barry and Crittenden are commended to the President's notice:—"The activity of the two latter gentlemen could not be surpassed."*

The war being closed, Major Crittenden returned again to the practice of his profession in Russellville and the surrounding counties. He was several times elected to the State Legislature from the county of Logan, and was the Speaker of its House of Representatives when he was elected to the United States Senate, in which he took his seat December 1, 1817, his term commencing at the same date with the Presidency of James Monroe, whom he supported. He served through that Congress, and, resigning his seat, removed from Russellville to Frankfort, the State

* General Harrison to Hon. J. Armstrong, Secretary of War. "Official Letters of the Military and Naval Officers of the United States during the War with Great Britain," &c. &c., collected and arranged by John Brannan, Washington City, 1823.

Capital, determined to devote himself to his profession. During his two years of service at this time, he moved the reimbursement of fines under the Sedition Law of 1798, known in the days of opposition to it as the "gag-law." The chief provisions of that law were, it made punishable "the defaming or bringing into contempt Congress or the President; exciting public hatred against them; stirring up 'sedition;' raising unlawful combinations for resisting the laws and lawful authorities; aiding and abetting foreign nations against the people or Government of the United States." Senator Crittenden denounced the Sedition Law as unconstitutional. He also spoke warmly in favor of a bill introduced by Senator Morrow, of Ohio, the design of which was to throw open the public lands to actual settlers. A House bill, putting fugitives from labor on the same level with fugitives from justice, having been referred to a committee of which Mr. Crittenden was chairman, he reported it back with several amendments, one of which provided that the identity of the alleged fugitive should be proved by other evidence than that of the claimant.

Returning to Frankfort, Mr. Crittenden filled up the period from 1819 to 1835 in the practice of his profession, occasionally representing the county in the State Legislature, and continually adding to his repute. In 1828, he was nominated by President John Quincy Adams as an Associate Judge of the United States Supreme Court, but, failing of confirmation in the Senate, Mr. McLean was subsequently appointed to that position. In 1835, he was re-elected to the United States Senate. With Webster, Clay, and Benton, he opposed Calhoun's bill authorizing anti-slavery documents to be taken from the Southern mail, was in favor of a United States Bank, was against the Sub-Treasury system, and opposed the remission of the fine against General Jackson for contempt of court in declaring martial law in New Orleans.

The extent of pre-emption right was a question which agitated Congress toward the close of Van Buren's Administration. A bill came up in favor of actual settlers on the public lands, to which the Senator from Kentucky moved an amendment, denying the privileges of the Act to aliens who had not made a declaration of their intention to become citizens, and urged his views in several speeches.

Senator Crittenden was re-elected, but resigned in March, 1841, having accepted the invitation of his former chief in the military field, General—now President—Harrison, to take the office of Attorney-General in his Cabinet. Having convened the Twenty-Seventh Congress for the 31st of May, 1841, to consider matters of great national importance, the President did not live to see it meet. He died April 4, and was succeeded in his duties by Vice-President Tyler. In September of the same year, Mr. Crittenden, with the rest of Harrison's Cabinet, except Daniel Webster, resigned, and retired into private life; from which, however, he was soon recalled to fill the unexpired period of Mr. Clay's term, that statesman having resigned, with the intention of finally retiring, on March 31, 1842, after the passage of the Tariff Act. During this session, (the third of the Twenty-Seventh Congress,) Senator Crittenden argued for the smallest ratio of Congressional representation, his belief being that with more representatives the House would be more democratic.

Crittenden was re-elected to the Senate for the succeeding term, from March, 1843, and remained until 1848, when he resigned, having received the Whig nomination for Governor of Kentucky, to which office he was elected by a large majority.

During this term, topics of great importance came under his consideration,—the Oregon question, the Texas annexation, the Mexican War. These still more markedly than heretofore defined party lines, and excited the whole Union. Senator Crittenden spoke frequently. On the Oregon question he deprecated precipitation, and advocated peace, but not at the sacrifice of honor, and favored such measures as he thought would promote it. In his speeches on the annexation of Texas, he took the same ground, so far as national honor was concerned, but opposed the annexation as unconstitutional, unnecessary, and unwise. The Mexican War he strove to bring to an end as soon as compatible with dignity. In 1847 he introduced, and supported with characteristic eloquence and feeling, the bill into the Senate, authorizing the purchase of food, and the use of the Government ships to carry it to Ireland and Scotland, to relieve those suffering from famine and fever. The next year, when the three days of February had lit the torch of revolution in Europe, he offered a resolution congratulating the French Republic, anticipating, as

almost all did, the establishment of a lasting republican government in that country. In the same year, he opposed Mr. Hannegan's bill for the military occupation of Yucatan.

On the accession of Millard Fillmore to the duties of the first magistracy, on the death of President Taylor, Governor Crittenden became a member of the new Cabinet, (July 20, 1850,) as Attorney-General, and remained in that office until the close of the Fillmore Administration, March, 1853. The next year, he was again elected to the United States Senate, for the term ending in 1861.

With the Kansas question Senator Crittenden's name is inextricably interwoven. He opposed the admission of Kansas under the Topeka Constitution in 1856, recorded his vote against the repeal of the Territorial laws, and was in favor of Senator Toombs's Kansas Bill. It was far from being unobjectionable to him, but he regarded it as a peace measure. In March, 1858, in the famous debate in which he occupied so prominent a position, he opposed the admission of Kansas under the Lecompton Constitution. The scene on this occasion, as well as the views of the distinguished Senator, were among the leading topics of the day, and properly belong to the history of the Congress and the country. It took place on the 17th of March; and in a leading journal of the next day the appearance of the Senate-Chamber and the pith of the speech were prominently given in the editorial columns. As that day's doings are among the chief of the causes which brought Senator Crittenden's name prominently before the people for the Presidency, the article is given almost entire:—

“The Senate presented the most brilliant spectacle on the occasion of Senator Crittenden's speech on the topic of the day. We have not seen the galleries so crowded this session. We have not seen so many ladies in them, or such a crowd of public men on the floor of the Senate, in addition to a full attendance of Senators. The editorial gallery was jammed, and, we honestly believe, with editors and reporters, which is not always the case, though it is usually full. In the ladies' gallery Mrs. Crittenden commanded particular attention, even as her gifted husband was the chief object of attraction in the chamber. Among the number of ladies connected with the political notabilities of the day, Mrs. Governor Brown, Mrs. Hale, Mrs. Chandler, Miss Wise, and Miss Sally Toombs were recognisable. On the floor we noticed, among the crowd of visitors, Baron Stœckl, Lord Napier, Rev. Dr. Pyne, Judge Gilchrist, Reverdy Johnson,

J. Watson Webb, Duff Green, E. Whittlesey, and a large number of past or present members of the House of Representatives, including Harris, of Illinois, Keitt and Boyce, of South Carolina, Haskin and Cochrane, of New York, Barksdale, of Mississippi, Davis and English, of Indiana, Adrain, of New Jersey, Underwood, of Kentucky, Trippe, of Georgia, Giddings, of Ohio, Burlingame, of Massachusetts, Phillips, of Alabama, Waterson, of Tennessee, Otero, of New Mexico, and Kingsbury, of Minnesota. Indeed, as truthful chroniclers for some future historian of Congress, we may say that the crowd was of the most intellectual, elegant, and attentive character yet witnessed this session.

“Senator Crittenden spoke for two hours and a half, with great clearness and force. He thought the consideration of the rights of the people to govern themselves was certainly not inapplicable in the present issue. The President had, with unusual earnestness, urged the acceptance of the Lecompton Constitution. The Senator from Kentucky differed with this view, because he did not believe the Constitution had the sanction of the people of Kansas. Whatever the *prima facie* evidence to show that it was, he held that, on examination, it was clear that it was not the voice of the Kansas people. It was rather against the overwhelming majority of the people. To the extent of some six thousand votes it appears to have been sanctioned, but out of these six thousand votes about three thousand were proved to be fictitious and fraudulent. This is verified by the minority reports of the Committee on Territories, and is certified by the authorities appointed by Mr. Calhoun in Kansas to inspect the votes. This vote was taken on the 21st of December. Before that vote was taken the Legislature, elected in October and convened by Acting-Governor Stanton, passed an act postponing the voting on the Constitution until January 4. On that day ten thousand majority was given against the Constitution, and the Legislature passed a resolution, the substance of which was that the Constitution was a fraud. How, then, can you say that this Constitution is the voice of the people? Unless we shut our eyes to the election on the 4th of January, we see an immense popular vote against it. We also have the solemn act of the Legislature.

“You will accept that which testifies to the minority, and reject that which testifies for the majority. You will accept the first expression of opinion, and reject the last, while it is a rule in law that the last enactment supersedes all others. Why is not the evidence of the 4th of January entitled to our respect and confidence? He believed the President was in great error. He had expressed himself in favor of submitting the entire Constitution to the people, and, in his message, regrets that it was not. The Governor, carrying out the then policy of the President, promised that it would be submitted; and the act of the Legislature, which the President desires to regard as a nullity, was actually carrying out the expressed will and desires of the President and the Governor.”*

* “States,” Washington, March 18, 1858.

The distinguished gentleman proceeded to inquire into the benefit that was expected from the admission of Kansas, and held that nothing was to be gained. He was a Southern man, as ready to defend any invasion of Southern rights as any man. But the same feeling which inspired him to defend his own rights inspired him to defend the rights of others. He believed that slave-labor could not be profitably employed north of $36^{\circ} 30'$. Experience has shown the wisdom of the men who made the line of demarcation. The repeal of the Missouri Compromise was an evil measure. If it was not completely constitutional, it was hallowed, in his estimation, by the good it produced and the peace it entailed on the country.

During the debate the Senator from Kentucky had been delighted with the display made by Senators, North and South, of the resources of their sections. He heard them with great pride. One showed the mighty resources in product of the South; another exhibited the skill, labor, navigation, and commerce of the North. If a man might be proud of either as separate nations, how should he feel at their union? His allegiance was not to any particular section. He desired to be ruled by a spirit of justice. He did not vote on this matter in any sectional sense. He was anxious to aid in a settlement of all differences, and he would go for the admission of Kansas on the condition that the Constitution be submitted to a vote of the qualified voters; if it was ratified, the President should proclaim Kansas a State; and, if not, that a new constitutional convention be authorized,—an enabling act, in fact, be passed for its benefit.

Senator Crittenden's speech "created a marked sensation, and the eloquent Kentuckian was warmly congratulated by Senators."

On the next day, and in reply to some remarks on this speech by Senator Toombs, of Georgia, Senator Crittenden took occasion to impress still further on the South that she had nothing to gain by the passage of Lecompton. He held that slavery was not in the question. If the South could look at the question as he looked at it, he believed it would be for her benefit. You will [to the South] have two Senators immediately here, opposed to you. Are you in a hurry to precipitate such a result? Will you gain by it? No. If the Southern men thought with him, they would place no estoppel on Kansas, but act a just part; and

only thus could they benefit the section of the country of which he, with others here, was a citizen and a Senator. He regretted that every man in the South did not agree with him. He had not enlisted under any banner. He thought he had grown old enough to disrobe himself of the prejudices of the partisan, and act the patriot. He was a true Senator, a true citizen, of the South.

A loud burst of applause in the galleries anticipated the death of Lecompton.*

Senator Crittenden offered a substitute for the bill admitting Kansas. It was defeated in the Senate by a vote of yeas 24, nays 34, but was introduced into the House by Mr. Montgomery, of Pennsylvania, and passed, yeas 120, nays 112. The "Crittenden-Montgomery Bill," as it was called, provided for the submission of the Lecompton Constitution to the vote of the people of Kansas. If it had a majority, the President was to be informed, who would, by proclamation, declare Kansas admitted on that Constitution, without further Congressional interference. If rejected, it provided for a convention, to be called at an early day, under suitable guards, for the formation of another Constitution, and allowed the new State one Representative in Congress until the next census. The bill gave great satisfaction to the Anti-Lecomptonites. It was considered a national, and not a party, measure. On the 2d of April, on motion of Senator Green, the Senate passed a resolution disagreeing with the House bill, yeas 33, nays 23; and on the 8th, the House, on motion of Mr. Montgomery, "adhered to its amendment," by yeas 119, nays 111. Thus there was direct conflict between the branches of the National Legislature. The Washington journal already quoted confronted the bills thus:—"The Senate bill dictates terms to a portion of the United States. The House bill but recognises the rights which every State enjoys. The Senate bill accepts, after altering, the Southern clause in the Lecompton Constitution. The House bill admits Kansas, and refers the instrument, untouched, to the people. The Senate bill illegally perpetrates a cheat on the South, and humbugs the North. The House bill honestly gives the whole thing, Southern clause

* "States," March 19, 1858.

and all, to the will of the people." April 13, the Senate insisted on its disagreement, and asked for a committee of conference, by a vote of yeas 30, nays 24; and the presiding officer *pro tempore* (Senator Foot, of Vermont) appointed Messrs. Green, Hunter, and Seward as the committee on the part of the Senate. On the next day, Mr. Montgomery moved "that the House insist on their adherence," which, after an excited discussion, was negatived by 108 to 107, the Speaker voting in the negative. Mr. English, of Indiana, who, that morning, in caucus of Anti-Lecomptonites, had expressed his determination to accede to the Senate's request, moved that "the House agree to the conference," which was passed by 108 to 108, the Speaker voting in the affirmative. This result was received by the galleries with applause. The managers on the part of the House were Messrs. W. H. English, of Indiana, A. H. Stephens, of Georgia, and W. A. Howard, of Michigan. On the 23d, Senator Green reported in the Senate, and Mr. English, in the House, a substitute agreed to by the majority of the Committee of Conference. This amendment was offered by Mr. English, and is now known as the "English Bill." On Friday, April 30, the bill passed both branches. In the House the vote stood, yeas 112, nays 103. In the Senate, yeas 31, nays 22.

Senator Crittenden voted against the report. He agreed with it so far as the Senate had retreated from its position of not submitting the Constitution to the people; but still the "English Bill" did not submit it in the bold and honest manner of the House bill. The Committee referred a certain ordinance, and if the people accept the land therein spoken of, they accept a Constitution to which it is well known they are opposed. On the other hand, suppose they agree with the Constitution, but do not accept the land: they are considered, by the terms of the new bill, as not wishing to come into the Union under the said Constitution. "Is this," he said, "a fair submission of the Constitution? If it is to be submitted, the people are entitled to it by their own right, without any proviso whatever." He spoke for an hour, and was listened to with marked attention,—the galleries being crowded, and a large number of members of the House being attracted to hear "the venerable Senator from Kentucky."

During this session, Senator Crittenden made an unavailing attempt to increase the duties levied under the Tariff Act of the 3d of March, 1857. He made a persistent effort to have General Shields sworn in as Senator from Minnesota, in February, 1858, that gentleman having written him a letter arguing that there could be no such political anomaly as a State out of the Union, or not yet in the Union. He referred to the law of 1857, authorizing, in an absolute manner, the people of Minnesota to form a State Government and to come into the Union on an equal footing with the original States. The people performed their engagements in good faith, and expected a like action on the part of Congress. Minnesota had complied with every requirement; and her representatives were in a dilemma, not knowing whether they represented a State in the Union or out of it.* On motion of Senator Toombs, the matter was referred to the Judiciary Committee, which reported that Minnesota was not a State under the Constitution and laws,† (March 4, 1858.)

On the resolutions concerning the British aggressions of 1858, Senator Crittenden was in favor of demanding reparation, but doing nothing rashly. England had done us wrong; but he would not have the world believe we were acting passionately. In like manner, in the debate on the New Regiments Bill, he was for giving the Government any men it demanded, but was opposed to Senator Pugh's amendment for the raising of companies in various States. They should, he thought, be raised in regiments.

In the discussion of Senator Doolittle's proposal to present Commodore Paulding with a gold medal, for arresting General William Walker within the jurisdiction of Nicaragua, Senator Crittenden took a brief but decided share, vindicating the legality of Paulding's conduct. He held that in point of fact the sovereignty of Nicaragua had not been assailed by the Commodore, it having been already nullified and suspended at the place in question by the occupation of armed invaders. In his mind, Paulding

* See Letter of General James Shields to Senator Crittenden. Cong. Globe, Part 1, 1st session of 35th Congress.

† Minnesota was admitted May 11, 1858, and Henry M. Rice and James Shields sworn in as Senators from that State on the 12th, and William W. Phelps and James M. Cavanaugh as Representatives on May 22.

was a deliverer, and not a trespasser; and in the eye of reason as well as of national law, no violence was done to the territorial sovereignty of Nicaragua by his friendly interposition.

On his return home, after his labors in the first session of the Thirty-Fifth Congress, his course was generously impeded by a series of ovations from the people.

Senator Crittenden has always been an ardent advocate of the settlement of claims of American citizens on foreign Governments, and is chairman of the committee to which the French Spoliations were referred. He reported a bill in favor of claimants in the first session of the Thirty-Fifth Congress, and in the second session reviewed the history of the past legislation of Congress in favor of satisfying the claims of American citizens for the spoliations committed by the Government of France prior to the year 1801. A bill for this purpose had been several times passed by the Senate, and had once been enacted by both Houses of Congress, but had been vetoed by President Polk for reasons mainly based on considerations of contemporaneous expediency. President Washington had officially recognised the validity of these claims, whose equity was also supported by the concurrent testimony of men like Lowndes, Webster, and Clay, to whose names might be added that of Judge Marshall, who was fully apprized of the foundation on which they rested. To his own mind, the evidence in favor of their allowance by the Government was unimpeachable.

Senator Crittenden opposed Mr. Slidell's bill to facilitate the acquisition of Cuba. In his speech on the subject, (Feb. 15, 1859,) he showed how unpropitious the time was for the proposed measure. The reference to the subject in the President's Message had resulted in dissent from Spain, and disfavor from France and England. He argued that in view of the vexatious reclamations held by us on nearly all the South American States --with a Paraguayan expedition on hand--and with a proposal to occupy Sonora and Chihuahua, for the security of Arizona—it would be prudent to forego the immediate acquisition of Cuba. He thought it likely that Cuba would belong to us in time; and, while he would not deny its desirability, he most decidedly would not admit its necessity to us. He was too proud of his country to admit any thing so humiliating. The domestic aspect of the

matter also led him to doubt the propriety of the time and the mode for accomplishing the object. It was estimated that \$200,000,000 would be the least sum Spain would accept for this dependency, to which she so tenaciously clings. Last year our annual expenditures were \$81,000,000. This year they would be nearly \$100,000,000. He doubted, then, if this was a time to go two hundred millions in debt. Yet the Senator was willing that President Buchanan should undertake negotiations for the purchase of Cuba; and, if he succeeded, the difficulties of the task would only enhance the glory of the achievement. Upon the treaty, when formed, he could sit in candid judgment; but, under the circumstances of the case, he did not feel authorized to place \$30,000,000 of the public money in the hands of the President merely to enable him to commence the negotiation.

Senator Crittenden has expressed himself as long favorable to liberal grants of land in the new States for purposes of improvement, especially improvements by railroad, in which the whole community have an interest. He has all his life advocated the distribution, on some terms or other, of the proceeds of the sales of the public lands among all the States for the purposes of improvement.

The removal of the Senate from the old to the new chamber in the Capitol was a very impressive sight,—and was rendered particularly interesting by the admission of ladies on the floor, the galleries being over-crowded. On this occasion, Senator Crittenden made a short but touching farewell to the scene of their labors, mingling with it memories of the great men who had left their impress on the very walls, and many hopes that the Senate would always maintain a powerful and conservative influence for its own dignity and the glory of the country.

Mr. Crittenden attended the National Agricultural Fair held at Chicago, on the 13th of September, and was received with every demonstration of welcome. He made a speech advocating in the liveliest and most impressive manner a reliance on the Constitution and a love for the Union. He went to Chicago to forget that such a thing as a cloud of politics hung over the country, and he would not allow himself to be dragged into any political or party discussion. Party politics were very transitory affairs. We are made to regard them as of great importance,

when to-morrow will bury them in oblivion. The tone of the eminent Senator's excellent remarks may be gleaned from a few sentences. "I am at home here," he said, "though I came with very few acquaintances and friends in this part of the country; yet the whole land is my country. The Union makes us one people: may God preserve that Union!" The impassioned earnestness of this invocation struck a chord in the vast assemblage, and the speaker was interrupted by loud applause, and cries of "Good! good!" "Preserve the Union, and the Union will preserve you, and make you the mightiest people in the world!" The patriotic voice of the Kentuckian was frequently drowned by the enthusiasm his sentiments created.

In early life Mr. Crittenden was a Republican, and afterward a Whig. He is now called an "American." He was a devoted friend of Henry Clay, on the occasion of whose death he made one of his greatest efforts; and on account of his experience and eloquence he always catches the ear of the Senate, of which he is sometimes denominated the Patriarch.

The recent distractions of political parties have indicated to many leading men in the North as well as to the most prominent members of the "South American" party the policy of combining, with the view of holding the balance of power in the coming Presidential election. On the assembling of the Thirty-Sixth Congress, measures were taken to form an organization, and to confer with the Executive Committees of the "American" and National Whig parties, and such others as were favorable to the formation of a "national party on the basis of the Union, the Constitution, and the enforcement of the laws." The American and National Whig Committees having fully concurred in these movements, it was resolved to hold a National Union Convention for the nomination of candidates for the Presidency and Vice-Presidency. A National Union Executive Central Committee was also formed, and the greatest activity manifested toward the furtherance of the objects stated.

The first meeting, consisting of members of the various political parties, Senators and Representatives, journalists from the various States of the Union, was presided over by Senator Crittenden. In the subsequent movements, he has, by the unanimous desire of the representatives of all parties, been accorded

the leading position. Among those members of Congress who actively participated in the formation of the new party were Senator Kennedy, and Messrs. H. Winter Davis, J. Morrison Harris, and E. H. Webster, of Maryland; T. Hardeman, Jr., and Joshua Hill, of Georgia; William C. Anderson, F. M. Bristow, Laban T. Moore, Robert Mallory, and Green Adams, of Kentucky; George Briggs, of New York; John A. Gilmer, J. M. Leach, W. N. H. Smith, and Z. B. Vance, of North Carolina; H. Maynard, Thomas A. R. Nelson, R. B. Brabson, William B. Stokes, Emerson Etheridge, James M. Quarles, and R. Hatton, of Tennessee; A. R. Boteler, of Virginia; Edward Bouigny, of Louisiana, and others.

In commencing this movement, the gentlemen who have taken the lead disclaim any spirit of presumption. Their circular takes the ground that "the exigencies of the country seemed to require the formation of a new party, founded on national and conservative principles. They have reason to believe that such is the conviction of a great and patriotic portion of the people, including very many members of the present dominant and contending parties, who have been made sensible of the dangerous and disturbing consequences likely to result from the further pursuit of their party controversies, and whom it is in the highest degree desirable to draw together into fraternal union and efficient political co-operation. In answer, therefore, to this apparent demand, the movement for a 'Union party' has been inaugurated."

Of this party Senator Crittenden seems to be the central figure, if not the head.

CALEB CUSHING,

OF MASSACHUSETTS.

THE career of Caleb Cushing, as a scholar, author, lawyer, statesman, diplomatist, general, and judge, has been remarkably eminent for one who is still not past the meridian of life. As a man of industry and indomitable perseverance in whatever he undertakes to accomplish, it is conceded that he has no superior, if indeed an equal, among the leading men of New England. Nearly all of his peers—the eminent statesmen and orators with whom he acted or contended on the hustings or in the halls of legislation within the last quarter of a century—have passed into the realms of death or immortality. John Quincy Adams, Isaac C. Bates, Levi Lincoln, John Davis, Levi Woodbury, Leverett Saltonstall, Daniel Webster, and Rufus Choate have disappeared: of the brilliant group, Lincoln, Everett, and Cushing alone survive.

Among the leading men of New England who have flourished since Mr. Cushing's appearance on the public stage, it is doubtful if any one has exhibited more varied and profound knowledge of the science of our own Government and of foreign Governments, of jurisprudence, of equity and maritime laws, of international law, of commerce, of common law, of art, science, and literature, and of the living and dead languages, than he.

In foreign countries men generally become distinguished in some specialty,—in parliament, on the bench, at the bar, as poet, editor, scholar, or general. In our own country we find men eminent in many walks; but rarely does a man so versatile and so unquestionably able on all points as is Mr. Cushing, come before the public in any country.

Caleb Cushing was born at Salisbury, Massachusetts, on the 17th day of January, 1800. He early evinced fine powers of intellect, and great fondness for study. After due preparation,

he entered Harvard College when but thirteen years of age, and was graduated in 1817. His collegiate career was one of uncommon brilliancy. The opinion which the government of the college had of his capacity and learning was best exhibited in 1819, when he was appointed a tutor in Mathematics and Natural Philosophy in that institution. He held this office two years.

The two years that elapsed between his graduation and his appointment to the tutorship were passed by Mr. Cushing as a law student at Harvard, under Asahel Stearns, first Law Professor. In 1821 he entered the law office of Ebenezer Moseley, Esq., at Newburyport, where he studied for a year, and was admitted to the bar in the following year. In 1823 he was married to Caroline Wilde, daughter of Judge Wilde, of the Supreme Judicial Court, a lady of rare intellectual endowments. At the bar he at once gave evidence of great abilities, and rose rapidly into a lucrative practice. For many years he and Rufus Choate were generally considered by the public as at the head of the famous Essex bar; and many comparisons were made by their respective friends and admirers as to which was the more eloquent, able, and successful lawyer.

Mr. Cushing's political life began early in the year 1825, when he was chosen a representative from Newburyport to the State Legislature. In the next year he was elected a Senator from Essex County, and displayed powers which marked him at once as a promising man for the future of Massachusetts and of the Union.

He continued in the successful practice of law till 1829, when he went to Europe with his wife, and travelled for two years. During this interval, Mrs. Cushing wrote a series of "Letters on France and Spain," which were printed for private circulation; while her husband employed himself with unceasing industry in obtaining a knowledge of the laws, institutions, statistics, and literature of the countries which they visited. On his return, Mr. Cushing published his "Review of the Late Revolution in France," and also his best book, "Reminiscences of Spain." Like others of our best writers,—Irving, Prescott, Ticknor, and A. H. Everett,—Cushing early exhibited a taste for Spanish subjects, and has done his part in paying back the

debt which the New World owes to Castile and Leon. He also contributed occasionally to the "North American Review." In 1832, about a year after their return from Europe, Mrs. Cushing died; and by her death Mr. Cushing lost a companion who thoroughly appreciated his superior talents and active genius, sympathized with his objects, and encouraged him in all his labors. She left no child, and her husband, not marrying again, devoted himself entirely to literary pursuits and public affairs.

In 1833 and 1834, Mr. Cushing again served in the Legislature for Newburyport, and in the latter year was elected to Congress, and took his seat in that body in December, 1835. He was thrice re-elected, and sat in the House of Representatives until March, 1843. He made his first effort on the 26th of January, 1836, in a prepared argument in support of the right of petition. He avowed that, although he was, and had ever been, utterly opposed to the Abolitionists and their mischievous crusade against the constitutional rights of the South in regard to the question of slavery, yet he held to the sacred right of petition. He would have all respectfully-worded petitions received, referred, and reported upon.

The 9th of February following, a debate occurred on the Naval Appropriation Bill, in Committee of the Whole, which led to an exciting scene, of a personal nature, between Mr. Cushing and Mr. Ben Hardin, of Kentucky. Mr. Hardin, an old and experienced member, a radical of great ability, who had the reputation of being "the terror of the House," and whose wit was once declared by John Randolph, of Roanoke, to be like a butcher-knife whetted on a brick-bat, had addressed the House against sundry repairs at navy-yards at the North, in a strain of emphatic severity. He had denounced the extravagance of members, who were, he said, forever proposing appropriations for fortifications along the Atlantic coast, which would require, if their wishes could be gratified, two hundred millions of dollars and a standing army of eighty thousand men.

Mr. Cushing, being a new member, and ambitious, no doubt, to distinguish himself in an impromptu debate, replied to the famous and much-feared Kentuckian in very decided and unmistakable terms. He was courteous and parliamentary, but severe. Witnesses of the scene say that the House was elec-

trified. Members on all sides looked up in surprise to see who was the young speaker with the clear, ringing voice and confident manner. Mr. Hardin, himself looking amazed and surprised, obtained the floor after Mr. Cushing had concluded, and commenced a reply. At first he seemed in doubt where to begin, or what to say; but, recovering his self-possession, he proceeded in a characteristic strain of denunciation and ridicule of the Massachusetts member who had dared to cross his path, which made the House wonder what was coming next. He sneered at Mr. Cushing for having prepared and *read* to the House his maiden speech. He accused him of hailing from the land of the Yankees, where the soil was barren, and rocky, and unproductive; where the inhabitants got their living by fishing, by peddling tin ware, wooden clocks, and wooden nutmegs, and where many of them indulged in eating pork, molasses, and codfish; where blue-lights were held out to the enemy, and where the Hartford Convention was held, during the war with Great Britain. By the desire of a host of members, the floor was conceded to Mr. Cushing, for the purpose of making a rejoinder.

Mr. Cushing, cool, collected, self-poised, and resolute, began by alluding to the parade of objections raised against him. He admitted that he had deliberately prepared his first speech. He had done so because he was not only a new member, but one of the youngest members of the House, and could not assume to address the assembled representatives and law-makers of the nation, for the first time in his life, upon a question of great importance, without preparing himself. If he had been anxious to imitate the habit of the gentleman from Kentucky,—to take the floor, at any time, or upon any or every question under discussion, and commence speaking, no matter where, not knowing what to say or where to leave off, but running on in a helter-skelter style until he might exhaust himself, he doubted not that he could, like the gentleman from Kentucky, at least *amuse* if he could not *instruct* the House. It was most true, he said, that he had come from New England. He was proud of it. The soil of Massachusetts was, indeed, rocky and less productive than that of more favored localities; but then it was peopled by a hardy, industrious, and intelligent race of men, whose industry and perseverance had made it blossom like the

rose,—had dotted it all over with beautiful cities, towns, and villages, with schoolhouses, colleges, and churches,—all denoting how much intelligence and Christianity were fostered and cherished in the region where dwell the Yankees, whom the gentleman from Kentucky was pleased to sneer at. He maintained that the New England patriots who fought at Lexington, Concord, and Bunker Hill, and others of the same character, were the equals of the patriots in other sections of the country. And as for the last war against Great Britain, he said, it was a historical fact that the bones of New England men whitened the plains of every battle fought on the soil of the whole country; while every naval battle, on the ocean or on the lakes, was fought as well and as gloriously by the hardy sons of New England as by those of any other portion of the Union.

In conclusion, Mr. Cushing, referring to Mr. Hardin's habit of quoting to the House from Homer, begged leave to refer to that celebrated author for an illustration *apropos* to the occasion. He regretted to observe upon that floor a disputant who, with neither the courage of Achilles for the combat, nor the wisdom of Ulysses for the council, yet, with the gray hairs of Nestor on his head, condescended to perpetually play the part of the snarling Thersites! The whole House broke out in a burst of admiration at this closing sally of the young orator, while the galleries sent up a loud shout of applause, accompanied with clapping of hands and waving of handkerchiefs by the ladies.

A motion was made to have the galleries cleared. The Speaker, Mr. James K. Polk, was called from his room to resume the chair and preserve order. The committee rose; but, the men having all left the ladies' gallery, mean time, the motion to clear the galleries was lost.

In the course of the debate in the House (in 1836) on the bill to admit Michigan and Arkansas into the Union, some objection was made by leading members from the North to a clause in the Constitution of Arkansas, requiring the people of the State to refrain forever from abolishing slavery. Mr. Henry A. Wise warmly advocated the clause, while Mr. Cushing as warmly opposed it. As a Southern man, Mr. Wise felt it his duty to take a stand for the institution of the South. In like manner, Mr. Cushing felt it his duty, as a Northern man, to take a

counter-stand, "Not," in his own words, "to assail slavery, but to defend liberty." On the first introduction of the subject, Wise had made a declaration that if Northern members did not hold themselves engaged to the terms of the Missouri Compromise, Southern members would likewise disregard it, and that if the North sought to impose restrictions affecting slave property, the South might be impelled to introduce slavery into the heart of the North. Mr. Cushing denied that Massachusetts was a party to the Compromise; and, in reply to the alternative threatened by Wise, he protested against the idea of restricting liberty in one part of the Union in retaliation of the attempt to limit the spread of slavery in another. It was not within the rules of debate to pursue the subject at the time; but in alluding to it in the matter of the Arkansas Bill, Mr. Cushing concluded with this fervid burst of feeling:—

"I trust it was but a hasty thought, struck out in the ardor of debate. To introduce slavery into the heart of the North? Vain idea! Invasion, pestilence, civil war, may conspire to terminate the eight millions of free spirits who now dwell there. This, in the long lapse of ages incalculable, is possible to happen. You may raze to the earth the thronged cities, the industrious villages, the peaceful hamlets, of the North. You may lay waste its fertile valleys and verdant hill-sides. You may plant its very soil with salt, and consign it to everlasting desolation. You may transform its beautiful fields into a desert as bare as the blank face of the sands of Sahara. You may reach the realization of the infernal boast with which Attila the Hun marched his barbaric hosts into Italy, demolishing whatever there is of civilization or prosperity in the happy dwellings of the North, and reducing their very substance to powder, so that a squadron of cavalry shall gallop over the sites of populous cities unimpeded as the wild steeds on the savannas of the West. All this you may do: it is within the bounds of physical possibility. But I solemnly assure every gentleman within the sound of my voice, I proclaim to the country and to the world, that, until all this be fully accomplished to the uttermost extremity of the letter, you cannot, you shall not, introduce slavery into the heart of the North."

Mr. Cushing ably and elaborately supported the right of the United States to Oregon, and, in moving to refer President Van Buren's Message to the Committee on Foreign Affairs, (May 17, 1838,) addressed the House at length on the subject. He went into the whole history of right, by discovery, purchase, and treaty, and fully exposed the illegality and inconsistency of the

claims put forth by Great Britain to the country watered by the Columbia. At the present day, a portion of this argument will be found instructive:—*

“It is a principle adopted by European nations in their settlements on this Continent, that priority of discovery, followed in a reasonable time by actual occupation, confers exclusive territorial jurisdiction and sovereignty. It is also held that an establishment, once made, extends to contiguity into the neighboring regions. If the discovery be of an island, it has, in most cases, been regarded as giving a title to the whole island; if on the coast of the continent, then as reaching indefinitely along the coast and into the interior, with limits to be decided by actual occupation, by compact, by conflicting claimants, or by force. Whether this be just or not as regards the Indians inhabiting America, is another question. I speak of it only as the conventional rule recognised in the negotiations, and practised upon in the colonial enterprises, of the chief nations of Europe; and thus constituting a part of that somewhat uncertain mixture of conventions and of national equity which is called the Law of Nations. This general principle, which enters into the present question in all its parts, includes a particular principle which is more specifically applicable to it. The discovery of the mouth of a great river, or the exploration of it, followed in a reasonable time by the actual assertion of territorial sovereignty, gives an exclusive right to all the country watered by that river. Without referring to various foreign cases of the application of this doctrine, it will be sufficient for the satisfaction of the House to show how it has been treated by the United States.

“In the letter of Messrs. Monroe and Pinckney to Don Pedro Cavellos, April 21, 1805, it is said, ‘When any European nation takes possession of any extent of sea-coast, that possession is understood as extending into the interior country to the sources of the rivers emptying within that coast, to all their branches and the country they cover, and to give it a right, in exclusion of all other nations, to the same.’

“This position is adopted by Mr. Adams in his letter to Don Luis de Onís, March 12, 1818, and by Mr. Gallatin, in his discussion of the present question. (Executive Docs., Twentieth Congress, 1st Session.)

“Now, whatever rights, more or less, are derivable from *discovery*, belong to the United States alone. The river Columbia was first discovered in 1792, (excepting whether it may have been previously discovered by the old Spanish navigators,) by Captain Robert Gray, of the American ship *Columbia*, fitted out in Boston, and received from him the name of the ship he commanded. In the same year, but confessedly subsequent to this, and upon information derived from Captain Gray, it was visited by Vancouver in behalf of Great Britain. Priority of discovery, there-

* It may be found complete in the Appendix to Cong. Globe, Twenty-Fifth Congress, Second Session.

fore, is clearly with the United States, as against Great Britain. Indeed, Gray had previously, in 1788, explored the strait of Juan de Fuca, north of the Columbia. So that, leaving out of view the rights of Spain by discovery, and of Spain and France by contiguity and extension, the United States claim the Oregon Territory by right of discovery."

By cession from France, in 1803, the United States acquired Louisiana and all the rights of France in that direction. What are the northwest limits of Louisiana? Extension by contiguity would carry the pretensions of France to the Pacific. By Great Britain herself, the possession of the body of the continent was always treated as stretching across the entire breadth of the continent. Her grants to Massachusetts, and to other colonies, reach to the Pacific. Conflicts of pretension thus grew up between France and Great Britain, which were adjusted, in 1763, by the Treaty of Versailles, by which Great Britain ceded to France all claims to land west of the Mississippi; prior to which, by the Treaty of Utrecht, concluded in 1713, France and Great Britain agreed to appoint commissioners to describe and settle the boundaries between the French and English colonies in North America, which resulted in the establishment of the parallel of forty-nine degrees north as the northern limit of Louisiana. As between Great Britain and France, then, Louisiana was bounded east by the Mississippi, north by latitude forty-nine degrees north, and westward by the Pacific; and by the Louisiana Treaty the United States added to her own rights of discovery the pre-existing rights of France. Such were Mr. Cushing's views on this important subject.

On the death of President Harrison, and the accession of the Vice-President, Mr. Tyler, Mr. Cushing, notwithstanding Mr. Tyler's veto of the bill for another United States Bank, could not at the crisis give him up and accept the dictatorship of any other leader of the Whig party. Wise also stood by Tyler, and Webster was the only member of Harrison's Cabinet who did not resign. These gentlemen saw evidences of a revolution in the Whig party. President Tyler was read out of that party by a caucus committee of Congress in a Manifesto. Through the columns of the "National Intelligencer" Mr. Cushing replied to the Manifesto, and defended Tyler with his usual force and fervor. He also, with courteous boldness, confronted Henry

Clay, and charged him with pursuing or dictating a course which would inevitably tend to destroy the Whig party.

In return for these great services, the President thrice nominated Cushing for Secretary of the Treasury, but on the 3d of March, 1843, the Whigs in the Senate refused to confirm him. The President then appointed him Commissioner to China, and in the same year he was appointed Envoy Extraordinary and Minister Plenipotentiary to the Celestial Empire. He sailed in July, 1843, in the steam-frigate *Missouri*. At Gibraltar, in August, that vessel was destroyed by fire, and Mr. Cushing, with his characteristic energy, and without waiting for instructions from his Government, forthwith proceeded by way of Egypt and India to China, and in six months succeeded in negotiating a treaty and establishing regular diplomatic relations with that vast empire. Having accomplished, with unexpected expedition, the great object of his mission, he returned in 1844 to the United States through Mexico, having made almost a complete circuit of the globe by land and sea, within a belt of forty degrees, in less than one year. In 1845 he started on a tour to the Northwest Territories, and explored them in every direction, particularly in the regions of the great lakes. He endured all the exposure and hardships incident to such a tour,—sleeping in the woods week after week, and hunting or fishing for his daily food, far from all vestiges of civilization. Returning to his home in Newburyport in 1846, he in a few days found himself again elected, by both parties, to represent that town in the Legislature. The war with Mexico had broken out a few months previous, and Mr. Cushing proposed that a regiment of volunteers should be raised, and that the State should appropriate the sum of twenty thousand dollars to aid in equipping it. The men were readily found, but, notwithstanding the impassioned appeals of Cushing,—who invoked aid in uniform as colonel of the regiment,—the Legislature, under a strong prejudice against the war, refused the appropriation; upon which Mr. Cushing advanced a large sum of money from his own funds, and with the aid of friends raised the rest. He led the regiment to the theatre of war. President Polk soon promoted him to the position of brigadier-general, and, though having no opportunity to lead his command into battle, he served with firmness and ability, and

held a high position on the Court of Inquiry ordered for the examination of charges against Major-General Scott.

In the year 1847, and while in Mexico, General Cushing, very unexpectedly to himself, received the nomination of the Democratic party for the office of Governor of Massachusetts. He received the largest vote that had been cast by that party for several years. He was also a candidate for the same office in 1848. In 1850, he was, for the fifth time, chosen a member of the State Legislature, and served with distinction during the exciting session of 1851. He was elected Mayor of the city of Newburyport in 1851 and 1852, and in the last-named year was chosen commander of the Ancient and Honorable Artillery Company of Massachusetts,—the oldest military organization in the United States. The Legislature of Massachusetts, at the session of 1852, having created the office of additional Justice of the Supreme Court, General Cushing was appointed to fill it. From this he entered the Cabinet of President Pierce as Attorney-General, and filled the station with eminent ability. His decisions, numerous as they are, show a most extensive erudition. Among the important cases before him was the Enlistment difficulty between the United States and Great Britain, which arose in the fall of 1855. The opponents of the Administration took exception not only to the tone of the Attorney-General's official opinion, but to what they called his interference in the matter. In reviewing the subject at the time, Mr. E. Kingman, the well-informed and experienced Washington adviser of several leading journals, said,—

“The instructions of the Attorney-General to the United States District Attorney of Pennsylvania have been commented upon by the British press, and perhaps by the British Government, as rather irritating. Our own press seems to consider the instructions of the Attorney-General as a private act, for which he alone is responsible; and it has, therefore, in most cases, made an apology to the British Government for what it considers his presumption. It so happens, however, that the instructions were the act of the Government. They were not ‘diplomatic,’ that is true, for they are intended to be unambiguous. They were a matter of deliberate consideration, and were issued upon consultation and decision of the Executive Government, and were deemed necessary to call the attention not only of this country, but of Great Britain, to the dangerous aggressions of the latter upon our rights, and the apparent determination of Lord Palmerston to drag us into the present war.”

The energetic action of Mr. Cushing in the discharge of duties not previously performed by the Attorney-General occasioned much comment; and to understand the reasons why these duties had devolved upon him, it is perhaps best to look at contemporaneous views. Mr. Kingman tells us that the labors of Secretary of State had become very burdensome, in consequence of the complications of foreign affairs, while the office of Attorney-General had become almost a sinecure. To create a division of labor, the judicial appointments, prosecution of offenders against the Neutrality Laws, extradition cases, and all cases coming under the Fugitive-Slave Law, were referred to Mr. Cushing; and the consequence was, "the business was efficiently done."

After he assumed the duties indicated, foreign ministers came to the conclusion that the extradition treaties were a dead letter so far as the United States were concerned.

"The late (Fillmore) Administration did not break up any filibustering projects, nor obtain the conviction of any person on account of such enterprises. The Neutrality Laws cannot now be violated with impunity, and every project of the sort has been broken up, except the last expedition of Walker, in which the prosecution failed on account of the refusal of the French Consul, Dillon, to appear as a witness in court. So in regard to the bark Maury. The Attorney-General took up the matter upon the representation which was made to Mr. Marcy by Mr. Crampton on the 11th of October, and his report was made on the 22d. The prosecution of Hertz, Wagner, and others was, as we have seen, conducted under the direction of the Attorney-General with such efficiency that some persons are disposed to doubt his constitutional power on the subject. But it will be understood, from the above statement, that he has the power under the order of the President, and of course this power is exercised under his direction; and in regard to the Enlistment cases his proceedings, as is well known, are approved by the whole Administration."*

At the close of the Pierce Administration, General Cushing retired into comparative privacy; but the voice of his ever-faithful constituency again and again pressed him into their service in the State Legislature. In that body he wields unmistakable influence, and even the journals politically opposed to him bear enthusiastic testimony to his being *the* legislator and orator. In

* Letters in the New York "Journal of Commerce," Nov. 1855.

the discussion on the amendments to the Constitution of Massachusetts imposing disabilities on naturalized citizens, he greatly distinguished himself in opposition. It is impossible to condense his several efforts on this subject, but the point and force of his views may be gleaned from two brief paragraphs.

On February 11, 1859, he said, "Mr. Speaker, I, you, we, gentlemen of the House of Representatives, belong to that excellent white race, the consummate impersonation of intellect in man and of loveliness in woman; whose power and whose privilege it is, wherever they may go and wherever they may be, to Christianize and to civilize, to command and to be obeyed, to conquer and to reign. I admit to an equality with me, sir, the *white man*, my blood and my race, whether he be the Saxon of England or the Celt of Ireland. But I do *not* admit as my equals either the red men of America, or the yellow men of Asia, or the black men of Africa." This was greeted with tumultuous applause in the galleries.

As to the right of the State to enact such a law, he said, "The question whether the State has the power to enlarge the electoral basis of citizenship of the United States, is one that has been most earnestly debated, and is still debated; and we have now and here the reverse of that proposition; and that reverse comes in the odious form of disfranchisement. Can a State deprive a citizen of the United States of his right of votership?—that is, can a State narrow and abridge the electoral basis in its relation to citizenship of the United States? I am free to say that I doubt upon both these propositions. I will not undertake to speak dogmatically upon the question; but I doubt the right of Massachusetts thus to impose disabilities, at least in respect to the election of Federal officers, upon citizens of the United States."

In view of the disturbed condition of public sentiment and "the dangers which threaten our Union," growing out of the Harper's Ferry raid and the sectional discussion to which it gave rise, great "Union meetings" were called in the chief cities to maintain the Constitution. One of these, held in Faneuil Hall, Boston, December 8, was a powerful and gratifying demonstration. Letters were read from ex-President Pierce, Judge Curtis, and other eminent persons, and the assembly was ad-

dressed by ex-Governor Lincoln, Edward Everett, and Caleb Cushing. Mr. Cushing vigorously denounced the recent "invasion of the State of Virginia" by men from Northern States. He brought the case home to Massachusetts, and asked his hearers what would they say if there were organized bands of invaders in Virginia, armed by subscription societies in Richmond, and inspired by sentiments of deadly hatred against them? Would they not say open war was better than war in disguise? It was unspeakably mean to insist on enjoying the benefits of the Union without participating in its burdens, and treacherous to demand the execution of the bond of Union by Virginia and not execute it in Massachusetts. "I say," continued Mr. Cushing, "it would be mean, treacherous, hypocritical, to pretend that that state of things is to continue; and therefore we are here assembled to discountenance all such sentiments, all such passions, and all such criminal enterprises on the part of the people of the Northern States against those of the Southern." The speech enchained the audience, and is characterized as "clear, forcible, and fairly overwhelming in its effect."

The above outline denotes a life of varied action and power, crowned with unvarying success. Without taking into account his orations and occasional addresses before literary and scientific societies, his writings have been very numerous. Besides the works already alluded to, and a translation of "Pothier on Maritime Contracts," he has been a prolific contributor to the "North American Review," the "United States Literary Gazette," the "Southern Review," the "American Review," the "Democratic Review," the "Annual Register," the "Knickerbocker," and other periodicals. He also furnished many of the articles in the "Encyclopedia Americana" on the geography, history, and institutions of Spanish America, in relation to which no writer in either hemisphere has displayed more accurate or comprehensive knowledge. He stands in the foremost rank as a debater and public speaker, prompt, fluent, vigorous, and self-possessed. He possesses an intrepid and executive genius; and there is work, resolution, and endurance in him, as well as learning, eloquence, and facility in literary composition.

GEORGE M. DALLAS,

OF PENNSYLVANIA

THIS eminent citizen is a son of Alexander James Dallas, a native of Jamaica, and one of the most distinguished and useful of America's adopted sons. "Indeed, in but few families have so many members risen to distinction and eminent public usefulness as in that of the subject of this sketch. His grandfather, who emigrated from Scotland* to Jamaica about the middle of the eighteenth century, was one of the most prominent professors of the particular branch of science to which his energies were devoted. Of his four sons, Robert Charles Dallas became one of the most voluminous and useful writers of his age; and Alexander James Dallas, Secretary of the Treasury and Secretary of War of the Federal Republic, deservedly acquired by his public services a commanding position in the eyes of the American people. Their sister, Miss Dallas, married Captain Byron, of the English Navy, and was mother of the present and seventh Lord Byron. To the same family belonged the distinguished brothers, Sir George Dallas, whose political writings were so warmly admired by William Pitt, and Sir Robert Dallas, Chief Justice of the Court of Common Pleas. Nor have the wisdom of the bench and the deliberations of the councils only been indebted to this house; in the Church it is ably represented by those excellent religious instructors through the pulpit and the press, the Rev. Alexander Robert Charles Dallas, and the Rev. Charles Dallas, who, after gaining military laurels in the Peninsula and at Waterloo, under Wellington, are now zealously engaged in the promotion of the best interests of the human race."†

* A memoir in the London "Illustrated News of the World," June 19, 1858, accompanying a portrait for which Mr. Dallas sat in that city, opens with this sentence:—"The Honorable George Mifflin Dallas, the Minister of the United States at the Court of St. James, like his predecessor, Mr. Buchanan, is a gentleman of Irish extraction and parentage."

† Allibone's "Critical Dictionary of English Literature and British and American Authors," &c., vol. i., Phila., 1858.

Alexander James Dallas, Secretary of the Commonwealth of Pennsylvania in 1791, District Attorney of Pennsylvania under Jefferson, Secretary of the Treasury under Madison, and a leader and champion of the old Republican party, of which Jefferson was the head, had three sons. The eldest rose to the rank of Commodore in the United States Navy; the youngest was the late Judge Dallas, of Pittsburg; and the second, the eminent gentleman the leading features of whose prominent career I shall now group together.

George Mifflin Dallas was born July 10, 1792, in the city of Philadelphia, around which cluster so many glorious memories of our nationality. Pursuing his educational studies under Mr. Dorfeuille, at Germantown, and under Provost Andrews, at Philadelphia, he was in due course entered at Nassau Hall, Princeton, N.J., as a student of arts and sciences, and, after a residence of three years, was graduated with the highest honors of his class.

His academical studies completed, young Dallas entered upon the study of the law under the superintendence of his father. The ardor with which he pursued the elementary branches of his future profession was suddenly diverted into another course by the declaration of war against Great Britain, made by Congress, June 18, 1812,—a date which, if it initiated a great military disgrace to England from America, was also made memorable three years after by the victory of Waterloo. Fired by the patriotism which the action of Congress excited, Mr. Dallas suspended his legal studies, and entered a volunteer company. It was his intention to temporarily give up law, and fight for justice. But fortune decreed that his fighting should be of a mental instead of a military character. In 1813, the Emperor of Russia offered his mediation between the United States and Great Britain; and Senator J. A. Bayard, of Delaware, and Albert Gallatin, recently Secretary of the Treasury under Jefferson and Madison, were appointed to proceed to St. Petersburg, to negotiate. Mr. Gallatin having selected young Dallas to accompany him as Secretary, the latter of course accepted, was released from his military engagements, and having been admitted to the bar, April, 1813, as a special favor in view of the circum-

stances, three months before he was of age, departed on his mission.

Gallatin and Bayard remained in St. Petersburg for six months without hearing from England. Mr. Dallas was despatched by John Quincy Adams, then Minister to Russia, to London, with despatches to Count Lieven, Russian Ambassador at the Court of St. James,—the Emperor of course concurring. Bayard and Gallatin proceeded to Amsterdam, and arrived there in March, 1814, where they were informed that England would not accept the mediation of Russia, but had no objection to treat for peace with the United States direct. The overture conveyed by Mr. Dallas led to the designation of Ghent as the place of negotiation; and, commissioners having been appointed on both sides, a treaty was effected after considerable delay.* During his residence in Europe, his observations in Russia, France, England, Holland, and the Netherlands, as well as his constant intercourse with some of the most prominent diplomats and statesmen, tended greatly to enlarge his mind. He was unexpectedly sent to the United States with confidential despatches to President Madison, and arriving in New York in October, 1814, proceeded immediately to Washington, and delivered his trust into the hands of the chief magistrate.

The disgraceful affair at Bladensburg, a couple of months previous, had opened the way to the capital, which, then a mere village of nine hundred houses, easily fell a prey to the British. Pillage, plunder, and devastation was the result. The Capitol, the President's house, and the public offices were destroyed. The invaders, desiring to silence the official press, had even sacked the "National Intelligencer" office, broken the types, and burned its library in the streets.† Affairs were in a dilapidated state when the bearer of the celebrated *sine qua non* despatches arrived. The President was in a private house, weak, care-worn, and apparently dejected. Seizing the despatches, he

* It may not be out of place to state here that the Commissioners were: for England, Lord Gambier, Henry Goulburn, and William Adams; for the United States, Messrs. J. Q. Adams, Gallatin, Bayard, Henry Clay, and Jonathan Russell.

† See Williams's "Invasion and Capture of Washington," New York, 1857.

broke the seal, and the very overbearing character of the contents immediately changed his appearance.

"These will do," said he, emphatically, rising with animation.

"I hope so," replied Mr. Dallas; "for I know their contents."

"Yes, these will do," continued Madison: "they will unite the American people, which is what we most need. No patriotic citizen of any party will hesitate a moment to reject conditions so extravagant and unjust."

So confident was the President of the result, that "he departed from the established etiquette of diplomacy pending a negotiation," and at once published the British proposition; and the result proved the accuracy of his conclusions.

Mr. Dallas did not return to Ghent, but was appointed Remitter of the Treasury, an office which he held about a year and a half, when he resigned it, and returned to Philadelphia to follow his profession.*

The exciting events through which he had passed, and the nature of his recent occupation abroad, at a time when youth is moulding its course to manhood, naturally gave Mr. Dallas's mind a strong bias for politics. Cultivating them in the best society abroad, and upon the basis which Jefferson had given to his disciples, he was well calculated to arrest the attention of his fellow-citizens. Besides, his relation to a leading member of Madison's Cabinet, the divided state of public opinion, and the necessity for subduing the acrimonious spirit evoked thereby, would have made it a matter of great difficulty for him to abstain from politics, even had Mr. Dallas been inclined so to do. Gifted with decided talents and an easy, dignified, and copious eloquence, his associates and the partisans of the Administration found in him an able and efficient mouth-piece.

On the 4th of July, 1815, he made his first appearance as a party politician in an oration, delivered by invitation. He reviewed the differences between Great Britain and the United States, and vindicated the measures and policy of the Federal Government. This effort attracted more directly the favor of the Democratic party, and in 1816 he was appointed First Solicitor of the Bank of the United States,—an office at once of useful

* For many details in this sketch I am indebted to "The National Portrait-Gallery," &c., Phila., 1854.

recommendation to him in a professional sense, and of great importance, when the national character of the institution is considered. It is needless to say that the favor extended to it by the Democratic party then, as a "*post-war* measure," was afterward withdrawn.

In 1817, Mr. Dallas was appointed deputy of the Attorney-General in the city and county of Philadelphia, and the same year was intrusted by Governor Findlay with his defence before the celebrated Committee of Inquiry, which he conducted with great ability. For several years henceforward he was engaged in his profession, emerging therefrom, toward the close of Monroe's Administration, into active prominence on behalf of General Jackson for the succession. Mr. Dallas was a great admirer of Calhoun, who was pressed in various influential quarters for the Presidency; but, for the purpose of uniting the Democracy, and having consulted the great Carolinian, he withdrew his name, and, at a public meeting in Philadelphia, proposed him as the candidate of Pennsylvania for the Vice-Presidency. This was enthusiastically seconded by the party, and Mr. Calhoun was elected to that position, although Jackson did not at that time attain the Presidency, —the election falling into the House of Representatives and terminating in the choice of John Quincy Adams.*

This result naturally created great excitement, and consolidated the popular party, which at the next election left no misinterpretation of its views possible. General Jackson was elected in 1828; and to the great and able exertions of Mr. Dallas, who had taken a most prominent and decided part in the discussions following the elevation of Adams, the result in Pennsylvania was largely attributable. Reviewing the character of Jackson, Judge Baldwin, in his clever book,† says, "Defeated in the House by the politicians, he turned defeat into victory, and established upon it a sure and lasting ascendancy." This is true; but to men like Dallas and their gallant persistency was the power ascribed. To the enthusiasm and union of his fellow-citi-

* Jackson received 99 Electoral votes; Adams, 84; Crawford, 47; Clay, 31. One hundred and thirty-one votes were necessary to a choice. The House of Representatives elected Adams, though having 15 Electoral votes less than Jackson.

† "Party Leaders," &c., by Jo. G. Baldwin, New York, 1855.

zens on this point was Mr. Dallas's elevation to the Mayoralty the same year (1828) chiefly owing. This office he soon after resigned, upon his appointment by President Jackson to the District-Attorneyship of the United States.

Evidences of still higher appreciation on the part of his State soon followed. A vacancy occurring in 1831, Mr. Dallas was elected to the United States Senate by the Legislature of Pennsylvania. It was a stormy season in Congress, and he was needed. He boldly participated in the war then waged by Webster, Clay, and others against the President. Impelled by duty to the State he represented, and in obedience to repeated instructions from the Legislature to introduce the memorial of the Bank of the United States for a renewal of its charter, he displeased the Directors by declaring his unwillingness to be its advocate, and desired that its affairs should be submitted to a careful investigation. Soon after, he was in the foremost ranks against it. In one of his subsequent letters,—written in 1836,—he expressed the belief that “the people of America can never again incur the risk of a National Bank.”

Mr. Dallas opposed Webster's movement on the apportionment of members of Congress under the census of 1830; and his speech—which produced the desired effect—was much spoken of at the time. Another of his memorable efforts of this period was his defence of his friend, Edward Livingston, who had in days gone by defended General Jackson when arraigned before a civil tribunal for alleged military tyranny. Jackson, as President, sent the nomination of Livingston for the office of Secretary of State to the Senate. It was strongly opposed by Clay and Webster. Dallas came to the rescue of his friend, and with such force and eloquence that, when he sat down, both Clay and Webster, with the prompt magnanimity which belongs to men of superior mould, withdrew their opposition. On the question of the Tariff Mr. Dallas held to the opinions expressed by Jackson. In the discussions on Nullification, he advocated the exercise of that power in the Union which he believed to be essential to its preservation within the spirit of the Constitution, but disclaimed all proceedings not intrinsically necessary for this object, and was in favor of such measures as were best calculated

to protect the rights and exalt the dignity of each State and secure the harmony of the whole. As a Senator, his eloquence, the diversity of his knowledge upon all political subjects, and the manly and elevated tone in which he took part in the debates, brought his name conspicuously before the nation.

His residence in Washington at that time rendered his personal relations and intercourse with General Jackson of a most intimate nature. It was his happiness to enjoy the fullest confidence and warmest friendship of that great patriot down to the day of his death; and when the citizens of Philadelphia, by appropriate funeral solemnities, expressed their sorrow at the demise of the hero, Mr. Dallas was at once selected as the orator of the day. In his discourse on that occasion, he touchingly alluded to his intimacy with the departed, and said, "From those who knew him as it has been my lot to know him, the frequent tear of cherished and proud remembrance must fall."

On the 3d of March, 1833, the brief but brilliant Senatorial term of Mr. Dallas expired. He emphatically declined a reelection, and, in proof of his sincerity, returned immediately to the practice of his profession. He accepted the office of Attorney-General of the State of Pennsylvania, tendered to him by Governor Wolf, and continued to occupy that congenial position during Wolf's Administration.

Upon the accession of Mr. Van Buren to the Presidential office, in 1837, he recalled Mr. Dallas from his comparative retirement into the service of the National Government. He was appointed Envoy Extraordinary and Minister Plenipotentiary to the Court of St. Petersburg, at which, it will be remembered, he commenced his public life, under Gallatin, in 1813. The selection was deemed a most excellent one, as the republican simplicity of Mr. Dallas, heightened by the personal dignity of his manners, was well calculated to sustain the democratic character of our institutions in one of the most gorgeous courts of Europe. It is stated that his dignity as a representative American citizen, at once elevated but unobtrusive, on more than one occasion elicited the courteous attention of the Emperor of Russia.

Recalled from this mission at his own request, in 1839, he

was, soon after his return to Philadelphia, offered by President Van Buren the office of Attorney-General of the United States, —then vacant by the resignation of Mr. Felix Grundy. The flattering offer was declined, and Mr. Dallas once more sought refuge from public life amidst his law-books. He was not long allowed, however, to remain in the privacy of his profession. In 1844 the Democratic party placed him on the ticket headed by James K. Polk; and in that year he was elected to the high position of Vice-President of the United States, and took the oath of office, March 4, 1845.

His career as “the second choice” of the Democracy was characterized by the ability which had led to his elevation to that proud position. His influence did much to guide his partisans in the management of the exciting topics before the country. In the Texas question, the hostile movements of Mexico, the Oregon Boundary question, and the Tariff, his course was firm and patriotic. He was in favor of checking the aggressions of Mexico, of vindicating the integrity of our title to Oregon, and of the establishment of the Sub-Treasury.

The most imposing scene—says a graphic biographer of Mr. Dallas—which occurred during his Presidency of the Senate was witnessed in July, 1846, upon the final passage of the Tariff Act of that year. On that occasion, to employ the language of the historian of the Polk Administration, “he had an opportunity of illustrating his moral firmness of character by an act of bold and majestic grandeur which stamped him as one of the distinguished men of the age.” This bill, drawn up in accordance with the ideas of the President, and upon the views employed in the Presidential canvass of 1844, had passed the House on the 3d of July by a vote of 114 to 95. In the Senate, it appeared that the Senators of eleven States directly favored, and those from eleven other States as emphatically opposed, the bill, while the Senators of the remaining eight States were divided. Thus the bill was put in the power of the Vice-President. The interest of the occasion was the greater from the fact that his opinions upon the particulars of the bill were, up to the moment of its passage, not definitively or widely known. The suspense, however, was soon terminated.

Before deciding the fate of the all-important measure, “founded upon a comprehensive view of the diversified interests of the

Union," Mr. Dallas addressed the Senate in a brief but well-considered speech in explanation and justification of the act he was about to perform. He voted in the affirmative. The writer above quoted, who, no doubt, was present, says, "The scene was one of the most imposing that ever occurred in that chamber. The Representative Hall was almost deserted; the members crowded into the Senate to witness the termination of the struggle. The galleries were crowded with beauty and fashion. The manufacturers were assembled in strong force. The reporters bent eagerly forward to catch the words which fell from his lips. A solemn silence reigned. All eyes were turned on his commanding and expressive countenance, and each ear drank in the language of his celebrated address, which he pronounced with an earnestness and impressiveness of tone which proved his sincerity."* Another writer, exulting in the manner in which the Vice-President met the grave responsibility of the occasion, says, "When compelled by a paltry intrigue to give the casting vote for the Tariff of 1846, he exhibited a moral firmness worthy the friend of Jackson." He closed his brief address by this declaration:—"If, by thus acting, it be my misfortune to offend any portion of those who honored me with their suffrages, I have only to say to them, and to my whole country, that I prefer the deepest obscurity of private life with an unwounded conscience, to the glare of official eminence spotted by a sense of moral delinquency."

Very considerable public and local dissatisfaction was the result. The Vice-President was burned in effigy and denounced in the most violent manner. But the temporary indignation has vanished; and the vote which created it is now as highly extolled for statesmanlike wisdom and foresight as he who gave it is praised for his personal firmness and self-sacrifice.

"It would not, perhaps, be extravagant to say that never, at any other period since the foundation of the American Union, have so important and diversified interests been poised upon a single vote. It changed, at a breath, a policy which had prevailed more than thirty years,—a policy unequal in its operation both upon States and individuals, and for that reason fraught with danger. It established a revenue-system more reproductive to the National Treasury, less burdensome to the consumer, ad-

* Chase's "History of the Polk Administration."

mitting of all necessary and just discriminations, yet bearing as lightly and equally as possible on every branch of industry in all parts of the country.”*

Mr. Dallas, during his Vice-Presidency, directed attention to the project of a canal from the southernmost part of the Gulf of Mexico to the Tehuantepec Gulf on the Pacific side, in a published letter. He discussed the practicability and advantages of connecting the oceans. President Polk was impressed with the importance of the subject, and gave instructions which, had they been carried out, would have led, years ago, to the acquisition by the United States of a transit-route to the Pacific. Mr. Dallas's letter drew public attention to the matter; and the letter of instructions written by Mr. Polk's Secretary of State—the present President of the United States—to Mr. N. P. Trist, the American Commissioner to negotiate with Mexico, affords strong evidence of the importance which attached to the project in the estimation of the Government. The instructions empowered the Commissioner to increase the amount (\$15,000,000) stipulated to be paid by the fifth article “for the extension of our boundary over New Mexico and Upper and Lower California, to any sum not exceeding \$30,000,000, payable by instalments of \$3,000,000 per annum, *provided the right of passage and transit across the Isthmus of Tehuantepec*, secured to the United States by the eighth article of the project, *shall form a part of the treaty.*”

During the year 1848, when the revolutionary movements in Ireland inspired a memorable enthusiasm in the adopted citizens of this country, the Vice-President addressed a note (June 3) to the great Irish demonstration in New York, conveying his sympathy, and fervent hopes that the managers might “succeed in kindling for the sacred cause of Ireland—so closely akin to that of Poland—the most effective enthusiasm of our country.” After the expiration of his official term, Mr. Dallas returned to Philadelphia, and to the practice of the law.

Mr. Dallas's next national position was that of Envoy Extraordinary and Minister Plenipotentiary of the United States to the Court of St. James. He succeeded Mr. Buchanan; and to his ability the English journals generally credit the good for-

* “National Portrait-Gallery,” vol. ii.

tune of both England and America in escaping the scourge of war. Mr. Dallas was sent to settle the differences growing out of the assumption by Great Britain of a protectorate over the Mosquito Territory, and the enlistment of soldiers on American soil by Mr. (now Sir) John Crampton, then British Minister at Washington. On arriving at Liverpool, and in reply to an address from the American Chamber of Commerce, Mr. Dallas predicted that "the causes of difference which had arisen between the two countries could soon be amicably arranged, and that, in his own opinion, they were not of such a serious character as either would lead, or ought to lead, to any disturbance of the relationship existing between them."

Mr. Dallas was continued in his mission by Mr. Buchanan; and though he made an agreement with Lord Clarendon, then Secretary for Foreign Affairs, known as the Dallas-Clarendon Treaty, the Senate refused to ratify it; and the matter, from a combination of complications, remains unadjusted.

Mr. Dallas is greatly endeared to his State and his party by the skill and integrity with which he has conducted the State or national affairs intrusted to him. As early as November, 1855, a large meeting of Democrats of Philadelphia nominated him for the Presidency in a series of resolutions, of which I give the following, as a suitable summary of his distinguished career:—

"Resolved, That in our fellow-citizen, George Mifflin Dallas, we behold just the man for such a time. Dwelling in our midst from his youth up, he presents a character which, whether regarded in a political, professional, social, or personal point of view, we know to be unstained by spot or blemish. The son of one of the most distinguished citizens of this Commonwealth and of the nation, he illustrates in his life the precepts imbibed from our earlier statesmen. Enrolled as a volunteer in the War of 1812, he shrinks not in his youth from battle for his country. Witnessing the administration of Jefferson, honored with the confidence of Madison, and enjoying the friendship of Jackson, his republicanism has been derived immediately from those by whom republicanism has been best exemplified. Whether we contemplate him in public stations,—as a Senator, as the representative of Democracy at the court of an autocrat, as a champion warring against a vast moneyed corporation, or as a Vice-President of the United States, with the prosperity of the country poised upon his single vote,—or whether, on the other hand, we recur to those lessons of patriotism, union, and peace which his daily life and conversation in our midst so unostentatiously but persuasively inculcate,—we find

everywhere the most signal attestations that his principle of action, in its comprehensive range, is determined by nothing narrower than the general welfare of the whole people.

“Resolved, That in the purity of the public career and private life of Mr. Dallas,—in his tried Democracy, which, through evil report and through good report, from first to last, has been without shadow of change,—in his intellectual strength and moral worth,—in his steadfastness of purpose and independence of action,—and, above all, in the national character of his statesmanship and his devoted regard to the Federal Constitution and the union of the States,—we have ample assurance that he is, to an eminent degree, practically qualified, in the present critical condition of our beloved country, to fulfil with sincerity, wisdom, and boldness the responsibilities of the chief magistracy; and we do therefore, for these reasons, proclaim him as our chosen candidate, and recommend him as such to the National Democracy.”

Mr. Dallas has sometimes indulged his fine literary taste, which has lent whatever he has performed in the way of orations and pamphlets* a beauty and felicity of diction which indicate at once the man of refinement and cultivated endowments.

* Allibone's "Critical Dictionary of Authors" contains a list of thirty publications, extending over an interval of forty years, commencing with "An Essay on the Expediency of Erecting any Monument to Washington except that Involved in the Preservation of the American Union," printed in 1811, and ending with "Speech in Maintenance of the Legal Right of the Corporation of Philadelphia to Subscribe to the North Pennsylvania Railroad Company," 1853.

JEFFERSON DAVIS,

OF MISSISSIPPI.

JEFFERSON DAVIS, son of Samuel Davis, a planter who served during the Revolutionary War in the mounted force of Georgia, was born June 3, 1808, in that part of Christian County which now forms Todd County, Kentucky. In early childhood he was removed with the whole family to the Territory of Mississippi,—his father settling near Woodville, Wilkinson County. After an academic course at home, young Davis entered Transylvania University, Kentucky, and remained there until he was appointed a cadet, and removed to the Military Academy at West Point, in 1824. He was graduated in June, 1828, and was appointed brevet second lieutenant.

He followed the fife and drum with distinction for seven years, and served with such ability as an infantry and staff officer on the Northwest frontier in 1831–32, that on the formation of the new regiment of dragoons he was promoted to a first lieutenancy, March 4, 1833. In the Black Hawk War he was often detailed upon duties of an important and dangerous character. While the famous Indian warrior Black Hawk was a prisoner, he formed an attachment for the gallant young officer which only terminated with the life of the red chief. As a dragoon-officer, Davis was employed from 1833 to 1835 on the Western frontier, and actively participated in the expeditions against the Comanches, Pawnees, and other Indian tribes there. He was in the first expedition that penetrated their mountain-fastnesses and reduced them into the desire for peace on any terms.

Resigning his commission, June 31, 1835, Lieutenant Davis returned to Mississippi and occupied himself on another field of operations,—the cultivation of cotton,—the peaceful occupation of a planter allowing him sufficient leisure for the prosecution of

those studies in political history and economy which have since so largely contributed to place and keep his name prominently before the people, not only of his own State, but of the South. Thus engaged with his plantation and his books, he lived a life of great quiet for several years, scarcely known beyond his immediate neighborhood. Emerging from his privacy in 1843, when active preparations were being initiated for the ensuing Presidential campaign, he enlisted himself publicly under the Democratic banner, served it effectively, and made so general and favorable an impression upon the people that he was chosen a Presidential Elector in 1844, on the Polk and Dallas ticket.

In November of the following year, Mr. Davis was elected to the House of Representatives, and took his seat in December, at the commencement of the Twenty-Ninth Congress. Although circumstances prevented any lengthy participation in the business of legislation, Mr. Davis was prominent in the debates on the Tariff, the Oregon question, military affairs, and especially on the preparations for the Mexican War and the organization of militia when called into the service of the General Government. While engaged in these discussions, he was called to give the benefit of his experience to the carrying out of the plans he suggested. In July, 1846, on the enrolment of the First Regiment of Mississippi Volunteers for the war, he was unanimously elected colonel. He promptly answered the appeal, resigned his seat, and procuring for his regiment, in the face of much opposition, the arms which were used with such deadly effect and made the name of the "Mississippi Rifles" so famous, he overtook his men at New Orleans *en route* for the theatre of war, and soon reinforced General Taylor on the Rio Grande.

In the storming of Monterey Colonel Davis and his riflemen played a most gallant part. The storming of one of its strongest forts (Teneria) on the 21st of September was a desperate and hard-fought fight. The Mexicans had dealt such death by their cross-fires that they ran up a new flag in exultation, and in defiance of the assault which, at this time, was being made in front and rear. The Fourth Infantry, in the advance, had been terribly cut up, but the Mississippians and Tennesseans steadily pressed forward under a galling fire of copper grape. They approached to within a hundred yards of the fort, when they were lost in a

volume of smoke. McClung, inciting a company which formerly had been under his command, dashed on, followed by Captain Willis. Anticipating General Quitman, Colonel Davis about the same time gave the order to charge. With wild desperation his men followed him. The escalade was made with the fury of a tempest, the men flinging themselves upon the guns of the enemy. Sword in hand, McClung has sprung over the ditch. After him dashes Davis, cheering on the Mississippians, and then Campbell with his Tennesseans and others, brothers in the fight and rivals for its honors. Then was wild work. The assault was irresistible. The Mexicans, terror-stricken, fled like an Alpine village from the avalanche, and, taking position in a strongly-fortified building some seventy-five yards in the rear, opened a heavy fire of musketry. But, like their mighty river, nothing could stay the Mississippians. They are after the Mexicans. Davis and McClung are simultaneously masters of the fortification, having got in by different entrances. In the fervor of victory, the brigade does not halt, but, led on by Colonel Davis, are preparing to charge on the second fort, El Diablo, about three hundred yards in the rear, when they are restrained by Quitman. This desperate conflict lasted over two hours. The charge of the Mississippi Rifle Regiment, without bayonets, upon Fort Teneria, gained for the State a triumph which stands unparalleled.

Placed in possession of El Diablo, on the dawn of the 23d Colonel Davis was exposed to a sharp fire from a half-moon redoubt about one hundred and fifty yards distant, which was connected with heavy stone buildings and walls adjoining a block of the city. Returning the fire, he proceeded with eight men to reconnoitre the ground in advance. Having reported, he was ordered, with three companies of his regiment and one of Tennesseans, to advance on the works.

When they reached the half-moon work, a tremendous fire was opened from the stone buildings in the rear. Taking a less exposed position, Davis was reinforced, and, the balance of the Mississippians coming up, the engagement became general in the street, while from the house-tops a heavy fire was kept up by the Mexicans. "The gallant Davis, leading the advance with detached parties, was rapidly entering the city, penetrating into buildings, and gradually driving the enemy from the positions,"

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when General Henderson and the Texan Rangers, dismounted, entered the city, and, through musketry and grape, made their way to the advance. The conflict increased, and still Davis continued to lead his command through the streets to within a square of the Grand Plaza, when, the afternoon being far advanced, General Taylor withdrew the Americans to the captured forts.*

The next day—the 24th of September—General Ampudia entered into negotiations with General Taylor, and a commission was appointed to arrange the terms of capitulation. Colonel Davis, who had done so much to force the enemy to this step, was rewarded by an appointment on this commission.† His memoranda of the transactions which transpired in the conferences are part of the history of the war.

Buena Vista added another laurel to the brow of Davis. Against greatly superior force he held his ground on the famous 23d of February, 1847. In his report the commander-in-chief recommended him to the special notice of the Government for his distinguished coolness and gallantry at the head of his regiment on that day. Though severely wounded, he remained in the saddle until the close of the action. Colonel Davis's gallantry and capacity at Buena Vista derive an additional interest from the historical parallel drawn by the Hon. Caleb Cushing. He writes, "In another of the dramatic incidents of that field a man of Celtic race, Jefferson Davis, at the head of the Rifles of Mississippi, had ventured to do that of which there is perhaps but one other example in the military history of modern times. In the desperate conflicts of the Crimea, at the battle of Inkermann, in one of those desperate charges, there was a British officer who ventured to receive the charge of the enemy without the precaution of having his men formed in a hollow square. They were drawn up in two lines, meeting at a point like an open fan, and received the charge of the Russians at the

* For an extended and detailed narration of the movements in and about Monterey, see the admirable account given in "Scouting Expeditions of the Texas Rangers," &c. &c., by Samuel C. Reid, Jr., Philadelphia, 1848. It is said by distinguished authorities to be as accurate as it is spirited.

† It consisted of General Worth, General J. Pinckney Henderson, and Colonel Jefferson Davis, on the part of General Taylor, and J. M. Ortega, T. Requena, and Manuel M. Llano, on the part of General Ampudia.

muzzles of their guns, and repelled it. Sir Colin Campbell, for this feat of arms, among others, was selected as the man to retrieve the fallen fortunes of England in India. He did, however, but imitate what Jefferson Davis had previously done in Mexico, who in that trying hour, when, with one last desperate effort to break the lines of the American army, the cavalry of Mexico was concentrated in one charge against the American line,—then, I say, Jefferson Davis commanded his men to form in two lines, extended as I have shown, and receive that charge of the Mexican horse, with a plunging fire from the right and left from the Mississippi Rifles, which repelled, and repelled for the last time, the charge of the hosts of Mexico.”*

The term of enlistment of the handful that remained of the Mississippi Regiment expired in July, 1847, and Colonel Davis was ordered home. While in New Orleans he received from the President the commission of Brigadier-General of Volunteers, but declined the honor, on the ground that neither Congress nor the President had a right to make such an appointment. The Constitution reserved to the States respectively the appointment of officers of the militia, and consequently the assumption of this duty by the Federal Government was a violation of the rights of the States. Being an ardent State-Rights man, Colonel Davis consistently declined, and proceeded home, through a series of congratulatory receptions, to enjoy domestic quiet and recover from the wound which, though it threatened to maim him for life, did not drive him from the field where he received it, and in honor of his deeds on which his comrades had conferred on him the *sobriquet* of “Buena Vista.”

He was almost immediately called into the service of the country by his appointment to the United States Senate to fill a vacancy, to which position, at the ensuing session of the Mississippi Legislature, he was unanimously elected for the residue of the term ending March, 1851. During his service at this period in the Senate, Colonel Davis was made Chairman of the Committee on Military Affairs, and in the debates on the Slavery question took a leading position in defence of the institutions and

* Lecture on “The Expatriated Irish in Europe and America,” delivered Feb. 11, 1858, Boston, by Hon. Caleb Cushing.

policy of the slave States, and as the mouth-piece of the Southern State-Rights Democrats.

In the discussions on the Compromise measures Mr. Davis was conspicuous. In the bill reported for the organization of the Territory of New Mexico there was a general grant of legislative power, with a reservation that no law should be passed "in respect to African slavery." Believing that this was an inhibition against the enactment by the Territorial Legislature of any law for the protection of that species of property, he proposed to amend the bill by striking out the restraint against legislation "in respect to African slavery," and inserting a prohibition of the enactment of any law which would interfere "with those rights of property growing out of the institution of African slavery as it exists in any of the States of this Union." In conformity with the views and wishes of some Southern Senators, the amendment was several times modified, so as finally—in the words of Senator Davis—"to present the general proposition that the Territorial Legislature should not be prevented from passing the laws necessary for the protection of the rights of property of every kind which might be legally and constitutionally held in that Territory." In this general form the proposition was brought to a vote and defeated.

In 1850, Davis was re-elected for the succeeding Senatorial term, but resigned his seat, having accepted the nomination as candidate for Governor, in opposition to Henry S. Foote. He was defeated in this contest; but the result was claimed as a victory by his friends, since the popularity of his name had reduced the majority of 7500, which the Foote party had exhibited only two months previous at the "Convention election," to 999. Colonel Davis now remained in retirement until the Presidential contest of 1852, when he left the quiet of Brierfield and rendered great service to the Democratic cause in Louisiana and Tennessee, as well as in his own State, by the advocacy of the claims of General Pierce.

On the accession of the latter to the chief magistracy, the services of Davis were acknowledged by an invitation into the Cabinet as Secretary of War, which was accepted. The administration of this Department gave general satisfaction, and conferred great credit on Secretary Davis. Many measures of importance were

either recommended or carried out by him. Among these were, the revision of the army regulations for the better observance of discipline and the improvement of officers, whereby the right of command should follow rank by one certain rule, and that officers should not at an early period of service be permanently placed on the staff; the increase of the medical corps; the introduction of camels into America; the introduction of the light infantry or rifle system of tactics, rifled muskets, and the minie ball; the addition of four regiments to the army; and the exploration of the Western frontier. He constantly urged the necessity of generous appropriations for new forts, improvements in small-arms, and the accumulation of munitions of war, showing that under the usual Congressional action it would take forty years to supply each mounted piece at the forts with one hundred rounds of ammunition. He condemned the system of small forts as incomplete for the purposes of war with the Indians. Being fixed points in the route of the emigrant, these forts afford the Indians an opportunity to reconnoitre the trains and determine upon their plans. The system also involved the frequent construction and abandonment of posts when they were just made sufficiently comfortable for the soldier to live in them. To overcome, to some extent, the expense, embarrassment, and comparative uselessness of locating military posts in advance of settlement, Secretary Davis suggested that within the fertile regions a few points accessible by steamboat or railway should be selected, where large garrisons could be maintained, and from which strong detachments could be annually supplied for the Indian country, to be sent out where grass would suffice for the support of beasts of draught and burden. Secretary Davis has strenuously advocated an increase of pay for army officers, and the granting of pensions to the widows and orphans of officers and men, as in the Navy.

Colonel Davis was re-elected to the Senate for the term ending March 4, 1863, and took his seat in the Thirty-Fifth Congress. Previous to going to Washington, the Democracy of Vicksburg, Jackson, and other places received him, and he delivered some speeches which attracted considerable attention. At Pass Christian he spoke clearly and with his usual boldness on the state of public affairs. The puritanical intolerance and vio-

lently unconstitutional character of the North would tear the Union asunder, if a better feeling North did not restrain it, or a united South did not put it down. His great reliance was on a united South; and he could not believe that the clap-trap of Know-Nothingism would be taken up in the South "to divide them." He earnestly deprecated interference by the citizens of one State with the rights of another State, and, though fully identified with the South in any emergency, could not contemplate the possibility of disunion without deep emotion. Some of his most endearing reminiscences had grown out of his connection with the Federal Government; and, dwelling on them, he told his hearers that while yet a boy he had been called to duty in its military service, where he remained up to mature manhood. He had seen its flag wave its graceful folds in the peaceful civic pageant, and had witnessed it borne aloft in the clash and cannon-clouds of the deadly conflict; he had seen it in the East, brightened by the sun at its rising, and in the West, gilded by his declining but golden rays; and to see that flag sun-dered, to see one star torn from its azure field, would, he felt, imbue him with a sorrow such as only a parent feels for a lost and beloved child.

At the close of this passage, he was greeted with prolonged applause.

At Mississippi City the ex-Secretary still more clearly defined his position. As Senator from Mississippi, he opposed the Compromise measures of 1850, beholding in them the violation of Southern rights, but had acquiesced in the opinion of the State, though against his convictions; and he regarded the disorders in Kansas as the bitter fruit of the substitution of expediency for principle.

In obedience to the will of Mississippi, he desired the measures of 1850 to be fairly tried, and avowed that had he followed his own desires, and been governed by his own interests, he would not have entered the Cabinet of President Pierce. The argument—used at Washington as well as in Mississippi, with him—that to decline might be injurious to the State-Rights party of the South, prevailed over his personal pride and personal interest. He defended President Pierce, his vetoes on the bills "for internal improvements and eleemosynary purposes," his adherence to

the Constitution, and his disregard of selfish considerations, in fervent passages.

Reviewing the Cuban question, Colonel Davis pictured the Fillmore Administration as responsible for the execution of the fifty gallant Americans at Havana. If Congress had backed up the special message of President Pierce on the Black Warrior, it was his opinion that we would now have Cuba. The non-action of Congress was construed into disapproval of the Executive desire; the owners of the Black Warrior compromised with the Spanish Government, and Soule's peremptory diplomacy was nonplussed.

He excused the suppression of "unlawful expeditions" on legal grounds. "We should not," he said, "object to the Executive, but to the law which he was obliged to carry out;" but he held that we should assume the controlling power on the continent, believing it was time there should be an American policy, and that European interference with American republics should cease. He would rejoice if General Walker could Americanize Nicaragua, and was as much opposed to "the brainless intemperance of those who desired a dissolution of the Union," as to "the slavish submission of those who, like the victims of the Juggernaut, unresistingly prostrated themselves to be crushed."

In the Thirty-Fifth Congress, although suffering from ill health during a portion of the first session, Senator Davis took a prominent position. In the debate on the bill to authorize the issue of \$20,000,000 of Treasury notes, which he voted against, Mr. Davis expressed himself in favor of the abolition of custom-houses, and the disbanding of the army of retainers of the Federal Government employed to collect the import-duties. He was in favor of Free Trade, with its fraternizing effect on the nations, and its beneficial results to the laboring classes, and held that under its influence we should be rid of all frauds upon the Government. He referred to the commercial dependence on New York, whose moneyed embarrassments in 1857 had, in his opinion, brought financial distress on the Southwest. He favored the bill authorizing the President, with the concurrence of the Senate, to restore officers dropped by the Naval Courts of Inquiry, should he disapprove of the finding of the court. He advocated the increase of the army on the system propounded by Calhoun when Secre-

tary of War,—to have a skeleton organization in time of peace, capable of efficient expansion in time of war. He sustained the bill for the repeal of the fishing-bounties, believing that legislation for classes ought to be done away with. On the demise of his old companion in arms, Senator Pinckney Henderson, of Texas, Davis made a short but appropriate speech on the upright character of the deceased as a soldier and a man. During a part of the exciting debate on "Lecompton" and the Kansas "Conference Bill," Senator Davis was suffering from an affection of the eyes, and his presence on more than one occasion, when he expected a vote to take place, was a matter of surprise. His high sense of duty—the same which at Buena Vista kept him, though severely wounded, in the saddle all day—brought him, with weak frame and bandaged eyes, to give his vote at the close of the debate.

During the recess, Senator Davis visited the North, where he was received with great courtesy and hospitality. He went there as an invalid, and known chiefly, as he remarked in Maine, "by the detraction which the ardent advocacy of the rights of the South had brought upon him." He did not deem his going or coming would attract attention; but he was mistaken. "The polite, the manly, the elevated men, lifted above the barbarism which makes stranger and enemy convertible terms, had chosen, without political distinction, to welcome his coming, and, by constant acts of generous hospitality, to make his sojourn as pleasant as his physical condition would permit." In the speech of which this is the opening sentence, Senator Davis denied that his friends and himself were Disunionists and Nullifiers, and declined interfering in the domestic affairs of the State of Maine, since it was the right of the people of Maine to settle the Slavery question for themselves. He visited Massachusetts and New York, and addressed the people of the chief cities in those States. He spoke to the Bostonians in Faneuil Hall on the 10th, and to a New York Democratic Ratification meeting on the 19th, of October, 1858. The gist of all his speeches in the North may be gleaned from his address on the latter occasion.

"To each community," he said, "belongs the right to decide for itself what institutions it will have,—to each people sovereign in their own sphere. It belongs only to them to decide what shall be property. You

have decided it for yourselves. Mississippi has done so. Who has the right to gainsay it? (Applause.) It was the assertion of the right of independence,—of that very right which led your fathers into the War of the Revolution. (Applause.) It is that which constitutes the doctrine of State-Rights, on which it is my pleasure to stand. Congress has no power to determine what shall be property anywhere. Congress has only such grants as are contained in the Constitution; and it conferred no power to rule with despotic hands over the independence of the Territories.”

These speeches of Senator Davis in the North were widely discussed.

In the second session of the Thirty-Fifth Congress, he was a prominent and very influential advocate for the Pacific Railroad by the Southern route, and made an elaborate argument against the French Spoliation Bill. He could not admit that the founders of the American Government had, by their failure to prosecute the just claims of our citizens on the Government of France, bequeathed to the present generation the duty of satisfying the obligations of justice.

In illustration of Mr. Davis's Union views, it will not be out of place to give here an extract from a letter apologizing for his absence from the Webster Birthday Festival, held in Boston, in January, 1859:—

“At a time when partisans avow the purpose to obliterate the landmarks of our fathers, and fanaticism assails the barriers they erected for the protection of rights coeval with and essential to the existence of the Union,—when Federal offices have been sought by inciting constituencies to hostile aggressions, and exercised, not as a trust for the common welfare, but as the means of disturbing domestic tranquillity,—when oaths to support the Constitution have been taken with a mental reservation to disregard its spirit and subvert the purposes for which it was established,—surely it becomes all who are faithful to the compact of our Union, and who are resolved to maintain and preserve it, to compose differences on questions of mere expediency, and, forming deep around the institutions we inherited, stand united to uphold with unfaltering intent a banner on which is inscribed the constitutional union of free, equal, and independent States.

“May the vows of ‘love and allegiance’ which you propose to renew as a fitting tribute to the memory of the illustrious statesman whose birth you commemorate, find an echo in the heart of every patriot in our land, and tend to the revival of that fraternity which bore our fathers through the Revolution to the consummation of the independence they transmitted

to us, and the establishment of the more perfect Union which their wisdom devised to bless their posterity forever!

"Though deprived of the pleasure of mingling my affectionate memories and aspirations with yours, I send you my cordial greeting to the friends of the Constitution, and ask to be enrolled among those whose mission is, by fraternity and good faith to every constitutional obligation, to insure that, from the Aroostook to San Diego, from Key West to Puget's Sound, the grand arch of our political temple shall stand unshaken."

The latest exposition of Mr. Davis's views is to be found in a speech delivered before the Democratic State Convention held in Jackson City, Mississippi, July 5, 1859. After reviewing his previous action on the Slavery question, he comes to its latest phase, and holds that whoever appeals to the legislation of 1850 to sustain the modern construction which denies the right of Congress to do any thing in relation to slave-property, stultifies himself. The Supreme Court has affirmed the position of the South: that the Constitution is the supreme law of the land; and as *it* recognised property in slaves, so it authorized their introduction into the Territories: therefore, when Mexican territory came under the jurisdiction of the United States, the public, not municipal, law, which inhibited slavery, was necessarily repealed.

"But," said he, "if the rules of proceeding remained unchanged, then all the remedies of the civil law would be available for the protection of property in slaves; or if the language of the organic act, by specifying chancery and common-law jurisdiction, denies to us the more ample remedies of the civil law, then those known to the common law are certainly in force; and these, I have been assured by the highest authority, will be found sufficient. If this be so, then we are content. If it should prove otherwise, then we but ask what justice cannot deny,—the legislation needful to enable the General Government to perform its legitimate functions: and in the mean time we deny the power of Congress to abridge or to destroy our constitutional rights, or of the Territorial Legislature to obstruct the remedies known to the common law of the United States."

He had "witnessed the organization of a party seeking the possession of the Government, not for the common good, not for their own particular benefit, but as the means of executing a hostile purpose against a portion of the States."

"The success of such a party would indeed produce an 'irrepressible conflict.' To you," said he, "would be presented the question, Will you

allow the Constitutional Union to be changed into the despotism of a majority? Will you become the subjects of a hostile Government? or will you, outside of the Union, assert the equality, the liberty and sovereignty to which you were born? For myself I say, as I said on a former occasion, in the contingency of the election of a President on the platform of Mr. Seward's Rochester speech, let the Union be dissolved. Let the 'great, but not the greatest, evil,' come; for, as did the great and good Calhoun, from whom is drawn that expression of value, I love and venerate the Union of these States, but I love liberty and Mississippi more."

Regarding the Slave-Trade question, Senator Davis believes the Act of 1820 unwarranted by the Constitution and a departure from the earlier and wiser policy of the Government, which abstained from interfering in the affairs or policy of other nations, and an abuse of the power to define and punish piracy. But he has doubted, and still doubts, the propriety of proposing or advocating the reopening of the slave-trade.

When Senator Davis arises in the Chamber, he invariably commands attention. He is not hazardous in debate: consequently when he speaks the conclusion is that he knows what he speaks about. His manner is easy, and there is a precision in his phraseology which gives a vigor and force to his speeches that accord well with the military character of the speaker. His language, as well as his manner, is orderly rather than ornate. John Quincy Adams had a habit of always observing new members. He would sit near them on the occasion of their Congressional debut, closely eyeing and attentively listening if the speech pleased him, but quickly departing if it did not. When Davis first arose in the House, the ex-President took a seat close by. Davis proceeded, and Adams did not move. The one continued speaking, and the other listening; and those who knew Mr. Adams's habit were fully aware that the new member had deeply impressed him. At the close of the speech, "the old man eloquent" crossed over to some friends, and said, "That young man, gentlemen, is no ordinary man. He will make his mark yet, mind me." And "that young man" has fulfilled the promise.

WILLIAM L. DAYTON,

OF NEW JERSEY.

WILLIAM LEWIS DAYTON was born in Somerset County, New Jersey, on the 17th of February, 1807. His ancestors had been Jerseymen for many generations. His great-grandfather, Jonathan Dayton, settled at Elizabethtown at least as early as 1725; and about the same time his mother's grandfather settled at Baskingridge, in Somerset, and built the first frame dwelling-house in that part of the country. His family are conspicuous for talents and patriotic services, both civil and military. On both his father's and mother's side they bore an honorable part in the Revolutionary struggle. Elias Dayton, grand-uncle of the subject of this sketch, was a brigadier-general, and his son, Jonathan Dayton, became eminent as a member of the Convention which formed the Federal Constitution, as Speaker of the House of Representatives in the Fourth Congress, and as a member of the United States Senate. His maternal grandfather, Edward Lewis, was a commissary of the Revolutionary Army, and served as such during the entire war.

Robert Dayton, the grandfather of William, removed his family during the war, or soon after, from Elizabethtown to a farm near Baskingridge, where he resided for the remainder of his life and reared a large family. His son Joel, a man of intelligence and probity, lived also at Baskingridge. He left several sons, who were liberally educated. William, the eldest of the family, was placed, in his twelfth year, in the classical academy of the celebrated Dr. Brownlee, then of Baskingridge, but now of the city of New York. After preparing himself here for college, he entered Nassau Hall, and was graduated in 1825.

At this time his person was unusually slender, and his health feeble. Soon after this, he was placed in the office of Peter D. Vroom, at Somerville, for the purpose of studying law. Mr.

Vroom was at that time a leader of the Jackson party in New Jersey. Upon their obtaining the ascendancy in the Legislature, in 1829, they appointed him Governor,—the best office in their gift. He was afterward their most conspicuous man in the great "Broad Seal War," and a few years ago was appointed by President Pierce Minister to Prussia. His pupil, who was in his office when first appointed Governor, meanwhile, has occupied a no less conspicuous position as a leader of the Whig party in the State. Yet, we believe, the friendship of Mr. Dayton and his preceptor was never interrupted,—such was the dignity and amiability of their characters and their cherished respect for each other.

Mr. Dayton was licensed in 1830, and entered upon the practice of the law at Freehold. Having a clear, logical mind and a lucid method of argument, he at once made himself known as a young lawyer of much ability. The dignity of his bearing, his courteous manners, and, above all, his moderation, caution, good sense, and spotless morals, gave him weight of character, influence, and the respect of the county; while the avowal of his sentiments made him known to the people of Monmouth as a firm and earnest Whig.

At length the strength of the Jackson party seemed to be waning in New Jersey. It could not all be transferred to the support of Mr. Van Buren. He failed, in 1836, to obtain the Electoral vote of the State, which was cast for Harrison and Granger. Stimulated by this success, the Whig party made a vigorous effort, the next year, to carry the State. It was no slight indication of their sanguine enthusiasm that they determined to contest in earnest the county of Monmouth,—a stronghold of Jacksonism; and, in order to be enabled to do this, they demanded of Mr. Dayton that he should give to the effort the aid of his character and popularity by leading the ticket as candidate for the Legislative Council. Their whole Legislative ticket was elected, with Mr. Dayton at its head. The Whigs then realized that, after years of defeat, they had regained the control of the State. The victory was sure, and not only sure, but brilliant.

The Legislature met in the same month of October in which the election was held. Mr. Dayton took rank immediately among the leading members of a body in which there was a large num-

ber of able and distinguished men. From that time his life has been a part of the history of New Jersey; and his name soon became a household word in the State. He was placed at the head of the Judiciary Committee, the most responsible and honorable post in the body of which he was a member; and so well did he discharge his duties, both on that committee and in the Council, that the enviable reputation he had gained in Monmouth was diffused throughout the State.

In accordance with the recommendation of Governor Pennington, a measure was passed by this Legislature, by which the character and usefulness of the county courts, which had at that time greatly degenerated, were raised, almost at once, to a condition in which they have ever since enjoyed the perfect confidence of the people. As Chairman of the Judiciary Committee of the Senate, the preparation of the necessary law became the duty of Mr. Dayton. He discharged it so well that the new measure effected, quietly, noiselessly, and thoroughly, the reform proposed. The old courts which were reformed away had for their judges an almost innumerable multitude of the most active and influential politicians in every county of the State. The new courts were to be presided over, each, by a single Judge of the Supreme Court; and yet, without excitement or opposition, and against this great preponderance of personal influence and interest, the new courts speedily took the place of the old in all suits for more than a hundred dollars.

At the time this act was passed, the number of Judges of the Supreme Court was but three. The additional duties imposed upon them rendered it necessary to increase their number to five. Under the Constitution then in force, these judges were elected by the Legislature. The qualifications of Mr. Dayton for a seat upon the bench were by this time obvious to all; and the members of the Legislature gladly availed themselves of the opportunity to elect him. His dignified and courteous manners made him very popular; while his opinions commanded more than usual respect. His charges to grand jurors were also remarkable for the useful instruction and sensible advice they contained. It was at this time that he removed from Freehold to Trenton, where he has ever since resided.

The reader will have observed that within a few days of the

time when Mr. Dayton unexpectedly found himself elected to the Legislative Council, he was obliged to take his seat in that body; and before the duties thus thrown upon him were discharged, he was a Judge of the Supreme Court. Certainly it was not in the heart of one of so refined and elevated a temper to be insensible to the highest honors of the State, conferred with the undivided approval of its intelligent citizens. Yet even then perhaps the question occurred to him, whether, thus early in life, the enjoyment by him of these honors were consistent with the interests of others, whose claims upon him were stronger and more sacred than even those of a high and honorable ambition. The State of New Jersey pays her judges no munificent salaries. Twenty years ago she paid them less than she does now. Judge Dayton had to consider whether, with a young and increasing family, he ought to remain upon the bench, while as yet he had never enjoyed that lucrative practice to which his rare talents as an advocate entitled him. For these or for other considerations, he determined, after having been upon the bench about three years, to return to the bar. He resigned his seat, and resumed the practice of the law. His reputation and abilities placed him at once in the front rank of the profession; and he has held that position till the present time. No man is listened to with more respect by either judge or juror.

In the summer of 1842, Judge Dayton entered upon a new career. The death of that eloquent and eminent Senator, the lamented Southard, whose memory New Jersey still cherishes with pride and affection, had left a vacancy in the representation of the State in the United States Senate. Two years before, when Mr. Miller was elected Senator, Judge Dayton had been much spoken of, and Governor Pennington now appointed him to fill the vacancy caused by Mr. Southard's death. He took his seat on the 6th of July; and the Legislature, which met in the following October, elected him, by the unanimous vote of the Whig members, Senator for the remainder of Mr. Southard's term. In 1845, he was again, by the unanimous vote of the Whig members, elected for the full term of six years. Judge Dayton thus held his seat in the Senate from July, 1842, until March 4, 1851.

At the time he entered the Senate he had just passed the age

of thirty-five, and was probably the youngest member of that body. He did not often speak; but when he did, it was because the question was important and he had something worthy to be said upon it. Yet, though he was averse to frequent speaking, he permitted no measure which he thought wrong to pass without an earnest effort to defeat it. Mr. Tyler was then acting President, and had not yet separated himself openly and entirely from the party which had elected him. He had recently vetoed one Tariff bill, and the Whig members of Congress were doing their best to pass another, which should at once be efficient and yet unobjectionable to him. They succeeded at last; and the Tariff of 1842 was the fruit of their efforts. Mr. Dayton had the honor of voting for this bill; and much did it need his support, for it passed the Senate by a majority of one. He also, in secret session, approved of the treaty negotiated by Mr. Webster and Lord Ashburton for the settlement of the Northeastern Boundary question. Thus did he indicate, in the beginning of his political life in the Senate, two of his cardinal principles of public policy,—“peace abroad, and the promotion of industry at home.”

The next session of Congress began on the 5th of December. The estimation in which he was already held by the Senate is indicated by the fact that he was placed on the Judiciary Committee. He continued to serve on this committee while he was in the Senate, with the exception of a single session. He was an active member, at different times, of various other important committees.

His first speech—on the 15th of February, 1843—was made in defence of the character and credit of the Federal Government, then suffering much in Europe from the failure of several of the States to pay the interest on their public debts. To such an extent did European capitalists distrust the Federal Government, that President Tyler stated, in one of his messages to Congress, that an attempt to negotiate a loan in Europe, made by the Executive, had entirely failed. The evil was made worse by the conduct of some of the States, which openly avowed their intention to repudiate their public debts. Mr. Evans, the able Senator from Maine, anxious to make manifest to the world the fact that the Federal Government entertained no such dishonest

sentiments, offered to the Senate an amendment to some resolutions of Mr. McDuffie's, which amendment declared that the debts of the States are obligatory and binding on said States, and cannot be by them annulled or repudiated. Judge Dayton, believing that the amendment countenanced the mistaken idea that the Federal Government was in some degree responsible for the good faith of the States, proposed, as a substitute, a resolution declaring that "the distrust and obloquy cast upon the Federal Government, by reason of the failure of certain States to make prompt payment of their debts, was an unjust and unfounded imputation upon its credit and good faith; that, while this Government deplored the misguided policy of those States, it disclaimed all liability for such delinquency; and, in vindication of its own unblemished faith and honor, it appealed with confidence to its history." We can hardly realize, at this day, the necessity of such a resolution; but there was great confusion of ideas at that time, not only abroad, but at home, as to the responsibility of the Federal Government for the debts of the States. Payment of these debts by Congress was demanded by not a few impatient creditors; and the Whig party was charged very freely with a secret design to assume them.

Senator Dayton's object was—1st: To get rid of that part of the resolution in which Congress assumed to declare what contracts are or are not binding upon the States. He asked by what authority the legislative branch could decide such a question. Is it one of the powers expressly granted, or an incident to any such power? It was alleged that Congress had the right to make such declaration, because the delinquencies of the States affected the national character and credit. But surely the Federal Government had no powers originating in any such doubtful source. And, aside from the absence of power in Congress to make such a declaration, he considered it very impolitic thus to mix up the national character with that of the States, or to give any countenance to the idea that the Federal Government had any thing to do with the State debts.

His second object was to vindicate the faith and credit of the Federal Government. A great deal too much was said in Congress—in the resolutions before the Senate, and in the Executive messages—of the loss of our national credit: all of which counte-

nanced the idea of the General Government's being involved in the individual delinquency of the States. As a citizen of the United States, and of the State of New Jersey, neither of which Governments had ever made default to the amount of a dollar, Senator Dayton repelled any such imputation. On the contrary, he showed that the faith and credit of the Federal Government had been preserved without a spot, and far more carefully than those of the European Governments. He then gave to the people of Great Britain, whose capitalists had recently refused a loan to our Government, and whose public speakers and writers were then abundant in aspersions upon our national character, a catalogue of instances, coming down as late as 1811, in which their own Government had compelled her creditors to take partial payment in full satisfaction of their just claims upon her. "Sir," said he, "there is no Government in the world whose credit ought to stand higher than that of these United States. There has none—no, not one—acted with a faith more pure. Not a man of the Old World, or the New, has lost a dollar by its promises." After recapitulating the immense debts of the different European Governments, he said, "With these budgets of iniquity on their backs, (the fruits of rapine and war,) they stagger along like the old sinner of Bunyan's allegory,—reading homilies to us, doubting whether we can follow! We, in lusty youth, carrying the weight of a thistle-down, and with an inheritance stretching from sea to sea!"

The President had proposed, in order "to vindicate the Government from all suspicion of bad faith," that "the land-fund be mortgaged for the principal and interest" of the proposed loan. Judge Dayton condemned the proposition as humiliating, and as indicating a disposition to submit to aspersions which ought, on the contrary, to be proudly repelled. His speech on the whole subject was highly commended at the time by the commercial press and by the country. It was felt that such a vindication of our national character was very opportune.

In the session of 1843-44, Mr. Dayton voted for the bill to reduce the rates of postage. He offered an amendment directing the officers of the two Houses to send copies of the annual messages and documents, printed by order of Congress, to all the editors and publishers of newspapers in the United States. He

urged this as an important amendment. At present, he said, the more prominent editors receive many copies of these documents, while many others are wholly neglected. The amendment was rejected; but it is likely that it will yet be adopted.

During this session, he took occasion to repudiate, in very frank and decided terms, the doctrine of instructions, and referred to the fact that, while he was in the New Jersey Legislature, and the Whigs had the ascendancy in both Houses, he had refused to vote for resolutions *instructing* General Wall, then a Democratic member of the United States Senate from New Jersey. While he placed a high estimate upon the opinions of his Legislature, he utterly denied the binding force of their instructions.

"If," said he, "the Legislature of New Jersey go farther than to advise me of their wishes,—to communicate what they believe to be the sentiments of our common constituents,—they usurp a power which does not belong to them. Firmly, and yet respectfully, I shall repel every attempt to encroach, in this or any other form, upon my constitutional rights."

He subsequently treated resolutions from a Legislature of his own party (where they conflicted with his own judgment) in the same way.

He opposed the resolution giving notice to Great Britain of the termination of the joint possession of Oregon. He examined carefully the whole question, and recommended that we should insist upon retaining the mouth of the Columbia River; but as for the extreme northern part of the Territory, he considered it a sterile and comparatively worthless region, and avowed, so far as that was concerned, his willingness to compromise with Great Britain. We all know the result. The Democratic party elected Mr. Polk under the cry of "54° 40' or fight," defeated the great patriot and statesman of Kentucky, and then Mr. Polk's Administration negotiated a treaty settling the Oregon question in the very terms recommended by Judge Dayton and those with whom he acted!

During this session an effort was made to repeal the Tariff Act of the preceding Congress. The Senator from New Jersey was one of the most earnest and efficient defenders of that measure, for which he had voted. On the 29th of April, he delivered an elaborate argument in favor of the Protective system, showing

particularly how it operated to the advantage of agriculture and of labor. The Tariff of 1842 imposed duties on agricultural products, which were not merely protective, but so high that, in all ordinary states of the market, they were prohibitory. Democratic Senators had ridiculed the idea that such protection could be of any benefit to the farmers, inasmuch as agricultural products could never be imported into this country; in short, that such duties were as useless as would be a duty on granite in New Hampshire or on ice in Maine. Senator Dayton combated this by showing that the prices of wheat in some European ports were much lower than in this country, and, in fact, that in the years 1835, 1836, 1837, and 1838 more than five and a half millions of bushels had been imported, although paying a duty of twenty-five cents a bushel. He inquired what the amount of importations would have been if there had been no such duty. He contended that the farmers would have been subject to constant foreign competition. Of ten leading agricultural articles there had been imported in 1840 to the amount of \$71,547, which the Democratic Senators ridiculed as a very trifling amount; but, said Senator Dayton, if so much is imported under a heavy duty, who can tell how great the importations would be if they were admitted duty free?

But of course the indirect protection afforded to the farmer by protecting domestic manufactures, and thus making a home-market for his products, was the most important benefit conferred upon him by the Tariff of '42. On this part of the general argument Mr. Woodbury had made an elaborate speech, supported by several tables of statistics prepared by himself for the purpose. Mr. Dayton followed, step by step, the argument of this thoroughly-trained and very able advocate of Free Trade, pointing out the mutual dependence of agriculture and manufactures. He showed, particularly, that New Jersey yielded agricultural products to the value of \$285.88, and Pennsylvania to the value of \$328.53, for each person engaged in farming,—an amount far exceeding that of any other of the farming States. This result he attributed not to the greater productiveness of their soil, but to their proximity to a home market, which had been created by the protection of domestic manufactures. By reference to the statutes of Parliament he combated the argument of Silas

Wright, the distinguished Senator from New York, who had maintained that the increase of manufactures in England had degraded labor and produced pauperism. He showed, by numerous references to the history of England, that the condition of her laborers had been elevated in the constant ratio of the protection and growth of her manufactures. He concluded his eloquent speech with an appeal to Mr. Buchanan to stand by the Tariff for the sake of the interests of Pennsylvania.

During the session of 1845, he delivered a very able speech against the annexation of Texas, which, he believed, was pressed chiefly with sectional motives, and to enable one portion of the Union to dominate, against the equities of the Constitution, over another. He foresaw and foretold how the demands of the propagandists of slavery would grow if they were yielded to. In answer to the question whether the South would be satisfied with that concession, he answered, as if with prophetic spirit, "No, sir, no. So soon as one single free State asks admission, where there is no slave territory to balance it, all prior compromise will be disregarded, as it is disregarded now." "Sir, if this country hold together, I put this prophecy on record,—I stake my reputation with posterity,—that our Southern friends will walk by us, step by step and side by side, to the Pacific Ocean."

"The Mexican War for the sake of Southern conquests to the Pacific, the threats to dissolve the Union if California were admitted as a free State, the violation of the Missouri Compromise, and the civil war in Kansas in order that slavery might there walk side by side with freedom toward the Pacific," are claimed by his admirers as distinct fulfilments of this prophecy.

In the session of 1845–46, true to his conservative character, he opposed again, in an able speech, the counsels of those who insisted upon the whole of Oregon or war with England. The Presidential election was now over, and the Administration abandoned the ultra ground the party had occupied, and the question was settled on the line of 49°.

Mr. Secretary Walker's memorable bill—the non-protective Tariff of 1846—was now before Congress, and the Administration was urging its passage, as a sort of Free-Trade or revenue measure, to supersede the Tariff of 1842. Senator Dayton took an early opportunity to oppose this bill. He proved that

before the Tariff of '42 the prices of glass were higher than they were then, and yet before 1842 the glass-manufacture at home was prostrate. Now the glass-blowers were fully employed, at good wages, and yet the prices of glass were lower than in 1840. By the casting vote of Mr. Dallas, however, the Tariff of 1842 was superseded by the act of 1846.

Though disapproving of the conduct of the Administration in provoking the Mexican War, Senator Dayton voted for such supplies of men and money as the President asked for, without speaking on the subject. During the next session, the bill for ten additional regiments being under consideration, he addressed the Senate, still declaring his intention to support the Executive with such appropriations as he had asked for, but at the same time exposing what he believed to be the "gross unconstitutionality of his conduct in making war upon Mexico without the consent of Congress, which is, by the Constitution, the war-making power." The President had also recommended the issuing of letters of marque and reprisal. He reprobated this in unmeasured terms as an attempt to resort to a system of legalized piracy, the relic of a barbarous age, unworthy of a civilized and Christian nation. He said, "The rules of civilized warfare now protect private property on land: the property of the merchant on the sea should be as sacred. Commerce is a humanizing agent among mankind. It has hazards enough of its own: it should not be made the victim of legalized piracy."

The Administration soon after introduced a bill to appropriate three millions to enable the Government to secure a peace with Mexico. In all the free States the war had been regarded with great disfavor, because it was believed to have been brought about mainly to increase the number of the slave States. The House of Representatives had passed the Wilmot Proviso, to prevent the extension of slavery into free territory; and many of the Legislatures of the free States had, with great unanimity, and by the votes of both Whigs and Democrats, requested their Senators and Representatives in Congress to sustain this restriction. The Legislature of New Jersey, by a nearly unanimous vote, had passed such resolutions. Mr. Dayton advocated this restriction. He contended that Congress had the right, and that it was its duty, to pass it. But, while he thus resisted the extension of

slavery, he declared that the Government had no right to interfere with it in the States. For himself and his constituents, he disclaimed any intention or desire to question or impair the rights of the South. But

“is it not time,” he asked, “when a slaveholding President has involved the country in war,—when the acknowledged object is the acquisition of further territory—of territory now free,—is it not time for the free States to speak out? And yet the Senator from South Carolina (Mr. Calhoun) calls this an ‘aggressive policy’ toward the South. Aggressive upon what? We have not the territory: the South has it not: we only ask, if it is to be acquired, *that it remain as it is*, free. Sir, aggression consists in attack,—an effort to change, to violate, an existing state of things. It is the South which is the aggressor,—which seeks to change the institutions of Mexican territory, which are now free, to such as are slave. If we had a right to annex Texas, a slave country, as it was, have we not the right to annex a free country as it is?”

Senator Dayton, while expressing his sympathy with the French Provisional Government in 1848, suggested that it did not become the Senate of the United States to pass the resolutions of congratulation which had been introduced. He thought, as Mr. Calhoun did, that it was wisest to wait and see the result of the Revolution of February.

It was during this session (the first of the Thirtieth Congress) that Senator Dayton rendered what his friends think a conspicuous and valuable public service, by voting, in secret session, for the ratification of the treaty with Mexico, and on the side of the Administration. Mr. Webster took an early opportunity to denounce the treaty in open Senate, and Judge Dayton felt himself called upon to reply, which he did in a bold and gallant manner. He, for one, was prepared to meet the responsibility involved in the ratification of that treaty:—

“I now and here declare,” said he, “to my constituents, and to the world, as I understand I have a right to declare, that in this Chamber and out of it, in official debate and by private appeal, in every mode and by every legitimate means that I could bring to bear, I endeavored to sustain and enforce the ratification of the treaty. And I say, furthermore, if it be of the slightest interest to my constituents to know it, that, while its fate was yet in doubt, I *first* broke ground in its favor *on this side* of the Chamber.”

His great object was to attain peace. He avowed that he did

not like the treaty, but he liked still less continued war, to be concluded, perhaps, at last, by a treaty worse still. The Senator from Massachusetts objected to the treaty because it made acquisitions of Mexican territory. Would not a longer war result in still greater territorial acquisitions? He believed it would. As for rejecting the treaty on that account, and going before the country declaring that we would not have peace unless we could have it *without* territory, that, he contended, would be a course utterly suicidal to the Whig party. "I hold," said he, "that upon this issue the Whig party could not survive the year. It will go down to the grave, and all its conservative principles with it. Its enemies will give it a kingly epitaph:—

"It never said a foolish thing,
And never did a wise one.'

"I take no such issue. I seize upon the first legitimate means to make peace."

Time soon manifested the wisdom of Judge Dayton's counsels. The Whig party, in the ensuing fall, carried the Presidential election by large majorities, electing General Taylor over General Cass. It was his lot afterward to differ with the great leaders of the Whig party on other questions. He believed that he was right; and the *right* was the only policy in which he ever placed his confidence. The bill known as the Clayton Compromise was before the Senate during this session. It proposed to organize Territorial Governments in California, Oregon, and Texas, without touching on the subject of slavery, it being the design to refer to the Supreme Court the question whether slavery did or did not exist there, by virtue either of the old Mexican laws or the Constitution of the United States. In discussing this bill, Senator Dayton put himself distinctly on these grounds: slavery is an evil calculated to retard the growth and prosperity of any country where it may exist; Congress has the right to inhibit its introduction into the Territories. There was not an adjudicated case, a judicial opinion, a *dictum*, or a precedent, to the contrary, or in favor of the novel position of Mr. Calhoun,—that slaveholders had a right to carry slaves into the Territories and have them protected there. He declared his aversion to throwing the decision of the question upon the Supreme Court and dragging it

into the political arena, the certain consequence of which would be that appointments to that bench would be made with reference to this question, and that thus the people would lose their respect for that high tribunal. A Senator had declared, in this debate, that if the knife were at the throats of the people of the South, in the hands of insurgent slaves, no help would be rendered them by the North. "This sentiment," said Mr. Dayton, "shocked me beyond measure. With my whole soul, I repudiate it. The people of the South are our brethren, and, however we may complain of some of their conduct, yet in the day of their adversity, if it should ever come, we will never forsake them."

In the next session, he made a speech against an appropriation in aid of what he considered the ill-advised project for a railroad across the Isthmus of Tehuantepec; in the course of which he declared that we were ultimately to have a grand route from our own rivers to the Pacific coast.

During the first session of the Thirty-First Congress, a petition having been presented to the Senate, praying Congress to take steps to bring about the dissolution of the Union, Mr. Dayton, in a few perspicuous remarks, discriminated between the right of petition and the abuse of it. There was a constitutional right to petition "for redress of grievances;" but the present was not such a petition. It did not ask for a redress of grievances under the Government, but for the abolition of the Government itself. It petitioned the Senate to do a thing both treasonable and suicidal,—to destroy the Government, and thereby destroy itself. It asked Senators, in effect, to commit perjury,—to violate their oaths to support the Government. Such a request was disrespectful, no matter how respectful the language in which it was expressed. He therefore voted for its rejection.

He spoke in favor of the resolution authorizing the President to receive from Henry Grinnell two vessels offered by him to prosecute the search for Sir John Franklin. Some Senators thought it beneath the dignity of the Government to co-operate with a private individual; but Senator Dayton contended that in so humane an enterprise it would be much more beneath the dignity of the Government to refuse its co-operation when it was invited by an offer so truly magnanimous.

The first session of the Thirty-First Congress was made memo-

rable by the intense excitement produced by the questions of the admission of California and the prohibition or permission of slavery in the territories conquered from Mexico. It was the first session under the Administration of President Taylor. In advance of the opening of the session, a number of the leading Southern members of Congress issued a sort of manifesto against the admission of California. While opposing the admission of the new State, the South demanded that slavery should be permitted in the territories acquired from Mexico. The State of Texas claimed that a portion of New Mexico belonged to her, and was about to take possession of it; and the pro-slavery party sustained her in her claim. A new and more rigid fugitive-slave law was also introduced by one of the Southern members. President Taylor, although a Southern man and a slaveholder, was not an extremist. He recommended to Congress in his message the admission of California as a State, and expressed the opinion that the people of New Mexico and Utah, many of whom had been until lately citizens of Mexico, did not require and were not prepared for Territorial Governments. The question of the Texan boundary he referred entirely to the determination of Congress.

On the 29th of January, Mr. Clay brought forward what are known as the Compromise resolutions, proposing to admit California; to concede to Texas the territory to the Rio Grande, and pay her — millions of dollars; to pass a new fugitive-slave act; to organize Territorial Governments in New Mexico and Texas, without any restriction upon slavery, but with a declaration that slavery did not legally exist there; to abolish the slave-trade in the District of Columbia; and to declare that Congress had no right to abolish the slave-trade between the States. These resolutions, together with another series offered by Mr. Bell, Mr. Foote, of Mississippi, moved to refer to a committee of thirteen Senators, to report by bill. On the 19th of April this was agreed to. The committee appointed under this motion reported, on the 8th of May, three bills; one, called the "Omnibus Bill," to admit California, organize the Territories of New Mexico and Utah, without any restriction upon slavery, and to concede to Texas the territory to the Rio Grande, and pay her — millions of dollars; another, the Fugitive-Slave Bill; and

a third, to abolish the slave-trade in the District of Columbia. The session of Congress was protracted till the last day of September; and, after a very animated discussion running through all these months, these measures were ultimately passed,—the “Omnibus Bill” having first been defeated and afterward passed in three separate bills.

On the 22d of March, while Mr. Foote’s motion was pending, Senator Dayton addressed the Senate in opposition chiefly to the proposed submission on the part of the Government of its authority and dignity to the claims and threats of Texas and to the harsh provisions of the Fugitive-Slave Law. On the 11th and 12th of June, the committee having then reported their bills, he made a more elaborate argument on the same portions of these measures.

He denied, in the first place, that in the admission of California any thing was yielded by the South, or any claim established for concessions from the North. It was the North that yielded what she had claimed,—a Congressional restriction upon slavery. To make this admission, therefore, the ground of a claim upon the North for concessions was grossly unjust. The very existence of California as a State was, he said, the first fruit of the recent grand scheme of Southern aggrandizement. It was preposterous to demand concessions from the North because Southern policy had brought about this application. He argued that for forty years the South had pursued a sectional policy, permitting no free State during that long term to be admitted to the Union, no matter what her qualifications, until the South had first obtained the admission of a slave State, generally with a smaller population, and, of course, with less claim to admission. And now that California, through their own policy, is an applicant for admission, because they have no slave State to bring in with her, they declare she shall not be admitted, or that, if she is, the South will secede.

“Sir,” said he, “if they mean to make the issue on this point, let the trial come! Never can it be made on a point weaker for the South, or stronger for the North. But this is a useless anticipation. Such a crisis can never arise from such a cause. The just feeling of the South will revolt against it.”

Judge Dayton opposed the Fugitive-Slave Law with earnest-

ness, but with a strict adherence to the principles of the Constitution. He insisted that the master should prove his right to the slave before a respectable judge and jury, and contended that the citizens of the free States would not fail to award him his rights, and, however repugnant to their feelings, the people would submit quietly to the decision. He concluded by challenging Southern Senators to produce a single instance in which a Northern jury had failed to give the owner of a slave a fair verdict; and the challenge remained unanswered.

Some time after Senator Dayton's argument on this question of trial by jury, in his speech in March, Daniel Webster exhibited an amendment to the Fugitive-Slave Law, proposing to substitute a trial before a jury for the examination before a Commissioner; which amendment, he said, had been prepared carefully, with the aid of eminent lawyers and high judicial authority. In his speech in June, Mr. Dayton declared the amendment obviated the several difficulties he had pointed out, and fully endorsed all the principles for which he had contended. He was willing to stand on it. The offer, however, was never accepted by Mr. Webster, that distinguished Senator having entered Mr. Fillmore's Cabinet while the discussion of the Compromise measures was still occupying the Chamber, and without having moved the amendment. Nor was it moved afterward by any of the advocates of the Compromise.

On the question whether the Constitution carries slavery with it into the Territories, Mr. Dayton maintained that slavery exists only by municipal law, and that the Constitution could not carry it where it did not previously exist. He also declared that the sentiment of the North was settled unalterably in opposition to the extension of slavery. He held that new States and Territories "should not be sacrificed to the selfish interests of a few old States." "We are laying," said he, "the foundation of empires: let us not subject them to the dead weight of that institution which, as any one can see by comparing the slave States with the free, has retarded their progress and paralyzed their energies."

As to the proposed establishment of Territorial Governments in New Mexico and Utah, he doubted whether the measure was not premature. He was especially doubtful as to Utah, and

thought the Mormons little qualified for a Territorial Government. He was inflexibly opposed to a concession of territory to the demands of Texas. In the whole of the discussion, his constant argument was a reference to the *Constitution*. That, he declared, was *his compromise*, and he was willing that all questions should be settled in strict accordance with its principles. His last speech on these questions—that of the 11th of June—at once provoked the opposition and extorted the commendation of the advocates of the Compromise measures. “They made,” writes a correspondent, “many efforts to meet his arguments and to dispute the pregnant and pointed facts he adduced from the history of the country, but they met with little success.”

In the next session—the short one—nothing occurred worthy to be noticed here. His term expired on the 4th of March. The Democratic party then having a majority in the New Jersey Legislature, Judge Dayton returned home, and devoted himself to the practice of the law, in which he is actively engaged.

In June, 1856, he was nominated for the Vice-Presidency by the Republican National Convention at Philadelphia, by 529 out of 560 votes. He did not know that this nomination was thought of, until he was advised that it had been made. In February, 1857, he was appointed Attorney-General of New Jersey, which office he now holds.

In November, 1858, the Opposition party in New Jersey having elected a majority of the members of the Legislature, and the term of the Hon. William Wright as United States Senator being about to expire, the public mind was turned at once to Judge Dayton as the proper person to succeed him; but, before the Legislature met, he publicly declined the appointment.

In the State elections of 1858 and 1859, the two parties in New Jersey which had supported Messrs. Frémont and Fillmore in 1856 acted together as the Opposition party. The great mass of these two parties have always entertained those doctrines as to the impolicy of the extension of slavery and the constitutional right and duty of Congress to restrain it, which were adopted at the formation of the Government, and had been adhered to until recently. The people of New Jersey knew Mr. Dayton's entire devotion to these as well as all other long-established constitutional doctrines. Separated in 1856 by differences as to men,

their general agreement as to those principles has since drawn them together under the name of the Opposition party; and that party, in the campaigns of 1858 and 1859, called on Mr. Dayton, with great unanimity, for his efficient and influential aid. With the generosity and patriotism of his nature, he responded promptly to the call; and his most zealous efforts were exerted often in special support of candidates who had voted and worked against him and for Mr. Fillmore in 1856. He knew their patriotism and general correctness of principles, and no personal feeling rose in his breast to prevent him, in the slightest degree, from laboring for their election with all his energy and eloquence.

His example in thus ignoring the past had its influence upon many of his friends, some of whom remembered with chagrin, if not with bitterness, the division of 1856,—a division which gave the Electoral vote of the State to Mr. Buchanan. During these campaigns he insisted upon the propriety of discussing national questions as a means of properly indoctrinating the public mind and cementing the parts of the Opposition more firmly together. He repeatedly urged upon large assemblies his well-known views as to the protection of American labor and the non-extension of slavery. On these great issues, he said, all branches of the Opposition in New Jersey—Republicans, Americans, and Old-Line Whigs—concurred in sentiment and stood on the same platform. As a means of doing justice to all and bringing all parts of the country to a common view on these great questions, he advocated the Homestead Bill of the last Congress, which offered, he said, only a fair equivalent to the Western emigrant for the great sacrifices he endured while opening and settling our new territories. This bill was, in effect, but another mode of giving protection and encouragement to American labor: the laboring man, wherever and however employed, was entitled to the protection of the Government, and all were entitled to it equally and alike.

On various occasions Judge Dayton has delivered literary addresses with much credit to himself. One of these was before the Literary Societies of Princeton College at the annual commencement. That college some years ago signified their appreciation of his acquirements and learning by conferring upon him the degree of Doctor of Laws.

DANIEL S. DICKINSON,

OF NEW YORK.

THIS distinguished statesman was born in Goshen, Litchfield County, in the State of Connecticut, September 11, 1800. His father was a plain farmer, a man of integrity and intelligence, proud of the soil from which he sprung and which he cultivated. A Jeffersonian by conviction and sympathy, he gloried in the personal independence of a farmer's life, and through the early political excitements and changes of the country was a firm and disinterested supporter of the author of the Declaration of Independence. When Jefferson's ideas of Democratic Republicanism were held by little more than a "corporal's guard" in the town where the elder Dickinson lived, he was not afraid nor ashamed to be the corporal.

Such being the character of the father, we are prepared to learn that the political examples before young Daniel Stevens Dickinson were of a healthy and a strengthening nature. Not being born in the midst of wealth, his childhood was not luxurious nor surrounded by many advantages. In 1806, his father removed to the beautiful Valley of the Chenango, New York, and settled in what is now called the town of Guilford. Here the boy went to the common school betimes, and became inured to the hardy duties of a struggling farmer's son. For a time he also worked at a mechanical trade, but, feeling the promptings of a higher destiny, improved the slender advantages presented by the common schools of those days by devoting his leisure to reading and developing himself in the pursuit of sundry branches of literature and science. Having an eager and a quick intellect, he rapidly accumulated knowledge, and in time became possessed of a very respectable and useful stock of accomplishments.

Choosing the law for a profession, he applied himself in that direction, being employed, at the same time, teaching in the

common and select schools of the neighborhood. In 1826, Mr. Dickinson was admitted to the bar, and soon became distinguished throughout the Chenango Valley for the readiness and point of his manner; his literary resources, as well as a rich vein of humor, standing his clients in good need before the justices of the peace. Of course, his business increased. In December, 1831, he removed to the thriving village of Binghamton, where he has ever since resided. Politics had early attracted his disquisitionous and illustrative powers, and he made himself felt not less effectively and successfully as a Democratic politician than as a ready lawyer. On his removal to Binghamton, his talents gave him almost at once a high position in the little world of politics and law of which the village was the centre. Thus he worked his way steadily upward to an undisputed professional elevation, and enjoyed a comfortable practice at the highest tribunals.

In 1836, Mr. Dickinson was elected to the State Senate of New York for four years. During his service here, he was prominent in the discussions growing out of the topics of that eventful period. The General-Banking Law, the Small-Bill Law, the Bank-Suspension Law, and the exciting financial measures resulting from the overthrow of the United States Bank and the establishment of the Independent Treasury, as well as questions touching internal improvements—the construction of the Erie Railroad, the extension of the Erie Canal, and other measures having to some extent national as well as local importance—were before the New York Senate, and brought Mr. Dickinson prominently forward. The State Senate was then the highest judicial body in the State; and frequent demand was made upon him for opinions relative to grave legal questions brought before that body as a court for the correction of errors.

So ably did he fill the term of his Senatorial office that, at its close, the Democratic party nominated him for Lieutenant-Governor on the same ticket with the veteran William C. Bouck. He shared, however, in the general defeat of his party. It was the time of the "Hard-Cider" campaign, when log-cabins and coon-skins were political Meccas, and General Harrison the Mohammed of them all. It was a time of unusual excitement, when the Whig party captivated the

people as much by songs and cider as by teaching or speaking. At the next election,—in 1842,—he was nominated for the same position under the same leader, and the ticket was elected. This position called forth fresh powers. Mr. Dickinson, as Lieutenant-Governor, was *ex-officio* President of the State Senate and of the Court of Errors and the Canal Board. The manner in which he discharged the arduous duties of these offices—duties which demand a clear perception of the niceties of debate as well as a knowledge of the simple rules which govern it, and the strictest impartiality—endeared him to his party-friends and the public; and he was in 1844 appointed a member of the Democratic Convention that nominated James K. Polk for the Presidency. Subsequently, Mr. Dickinson has been an Elector-at-large for the State of New York.

Such was the affection and trust entertained for him by the New York Democracy, that in December, 1844, he was elevated to the Senate of the United States. Governor Bouck selected him to fill the vacancy created by Mr. N. P. Tallmadge's appointment to the Governorship of Wisconsin Territory. When the Legislature met, he was confirmed in his high position, and elected for the succeeding term.

During the seven sessions subsequent to Senator Dickinson's appearance in the Chamber of the upper House of Congress, his name became thoroughly national from his prominence in the great questions brought forward. The Senate held a conclave of great and able men then,—Clay, Calhoun, Webster, Clayton, Benton, Cass, Crittenden, and, during the most exciting period, Foote and Douglas; and others were there of almost equal power. Yet, among those men of might, Daniel S. Dickinson made his mark,—broad, national, and distinct.

On the Texas Annexation, the Oregon question, the Mexican War, the admission of California, the Wilmot Proviso, and the Compromise measures of 1850, he distinguished himself in an enviable degree, especially in the debates on the latter, the success of which was largely owing to his powerful exertions. Even his opponents admit that "if he ever labored harder at one time than another, it was when his voice and vote could help to place the Compromise measures—so called—upon our statute-books." On the question as to the power and duty of Congress to pro-

hibit slavery in the Territories, he differed as widely from his colleague, General John A. Dix, as he subsequently did with Senator's Dix's successor, Governor Seward.

On the 14th of December, 1847, Senator Dickinson submitted two resolutions respecting Territorial Government, and embodying the doctrine of the so-called "popular sovereignty," giving him a priority in the propounding of that doctrine over General Cass in the Nicholson letter, which appeared at a later date, and the Kansas-Nebraska Act of Senator Douglas, which was several years subsequent. Senator Dickinson believed that the question of territorial acquisition could not be avoided,—especially at that time, when Mexico could indemnify us only by ceding to us some of her territory. In this belief, and chiefly in view of the exigencies of the times and the prevailing sentiment of the American people, it was necessary to have some understanding as to the policy of Territorial Government to be adopted. Had we remained at peace with Mexico, the case would not have been altered, only postponed. The same policy of acquisition would sooner or later have been presented to strengthen our political and commercial relations on the continent. The following are the resolutions:—

Resolved, That true policy requires the Government of the United States to strengthen its political and commercial relations upon this continent, by the annexation of such contiguous territory as may conduce to that end and can be justly obtained; and that neither in such acquisition, nor in the territorial organization thereof, can any conditions be constitutionally imposed, or institutions be provided for or established, inconsistent with the right of the people thereof to form a free sovereign State, with the powers and privileges of the original members of the Confederacy.

Resolved, That in organizing a Territorial Government for Territories belonging to the United States, the principle of self-government upon which our federative system rests will be best promoted, the true spirit and meaning of the Constitution be observed, and the Confederacy strengthened, by leaving all questions concerning the domestic policy therein to the Legislatures chosen by the people thereof."

They came up on the 12th of January, 1848, and Senator Dickinson supported them in a speech. They were introduced, not to bring up the vexed question of slavery,—it was there before them,—but to transfer it hence, and leave, said the Senator

from New York, "under the Constitution all questions concerning the erection or prohibition of this institution in the Territories to the inhabitants thereof, that its intrusion may not hereafter arrest the policy, defeat the measures, or disturb the councils of the nation." They were offered in the hope that all who believed in the capacity of man for self-government would unite and harmonize on the common ground of justice and equality. So much for the Senator's design in bringing forward his resolutions.

As to the first resolution, relative to acquisition, he showed that although the Articles of Confederation, which gave place to the Constitution, provided for the admission of Canada into the Union, and although the comprehensive terms employed to explain the objects of the Constitution proved that no narrow territorial boundaries were contemplated, it was apparent that few statesmen at that early period foresaw the growth we were soon destined to attain. The wisest and ablest timidly negotiated for years for the navigation of the Mississippi, and proposed to make that river the western boundary forever. We sought only a portion of Louisiana, and took the greatest share "virtually upon compulsion." The policy which gained the acquisition was then violently denounced, with threats of disunion, which Dickinson thought might be profitably consulted rather than copied by those who were alarmed by the cry of territorial aggrandizement. Cities have sprung up on the Pacific, and the river we once thought of making our western now passes nearest to our eastern boundary. We have not yet fulfilled our destiny. We have new territory to fertilize, new races to civilize and absorb. He argued that our form of government is admirably adapted for extension. Founded in the virtue and intelligence of the people, and deriving its powers from the consent of the governed, its influences are as powerful for good at the remotest limits as at the political centre. Acquisition being, then, the true policy of the Government, it ought to be pursued with a fixed purpose, and guided by the sternest principles of national justice.

Mexico, in the opinion of Senator Dickinson, was doomed. If we are not to absorb Canada, Mexico, at least, cannot help herself. "What was her progress?" he asked. "When our population was three millions, hers was five, and when ours is twenty, hers is eight; and while we have attained the highest rank among the

nations of the earth, she has fallen so low that there is little left to wound her feelings or degrade her character. She has national antipathies and resentments, but neither national spirit nor national virtue. Her mines, agricultural regions, and Pacific harbors must tempt Europe to revive upon this continent the execrable proposal to regulate the balance of power;"—in furtherance of which he instanced the fact that England had already commenced seizing upon South American possessions. At all events, whatever might be the policy touching Mexican conquests, he said we could not, if we would, restore New Mexico and California. He was for extending humanity and peace over them.

The principle declared by the last clause of the first resolution—that no conditions can be constitutionally imposed upon any territorial acquisition inconsistent with the right of the people thereof to form a free, sovereign State, with the powers and privileges of the original members of the Confederacy—Senator Dickinson deemed too obvious for serious argument. He held that if a State is admitted with a Constitution authorizing domestic slavery, it may change the Constitution so as to prohibit slavery at its pleasure. If the Constitution, at the time of admission, prohibits slavery, it may be changed so as to authorize it; and this, too, regardless of any legislation upon the subject by Congress, or otherwise, before its admission into the Union. In other words, every State, after its admission, may, in virtue of its own sovereign power, establish or abolish this institution, whatever may have been the conditions imposed, or attempted to be imposed, upon it during its Territorial existence.*

As to the second resolution, it declares that the domestic policy of the people of a Territory should be left with them; and if that power resides in Congress, as is contended, it should be delegated to the people of the Territory and be exercised by them,—the proposer arguing that the republican theory teaches that sovereignty resides with the people of a State, and not in its political organization, and the Declaration of Independence recognises the right of the people to alter or abolish and reconstruct their Government. If sovereignty resides with the people

* See speech in the Senate of the United States, January 12, 1848.

and not with the organization, it rests as well with the people of a Territory, in all that concerns their internal condition, as with the people of an organized State. And if it is the right of the people, by virtue of their innate sovereignty, to "alter or abolish" and reconstruct their Government, it is the right of the inhabitants of Territories, by virtue of the same inborn attribute, in all that appertains to their domestic concerns, to fashion one suited to their condition. Although the Government of a Territory has not the same sovereign power as the Government of a State in its political *relations*, the people of a Territory have, in all that appertains to their internal condition, the same sovereign rights as the people of a State. While Congress may exercise its legislation over territory so far as is necessary to protect the interests of the United States, the legislation for the people should be exercised by them under the Constitution.

Toward the conclusion of his striking speech on this occasion, the Senator said it mattered naught to him how various, crude, or inconsistent were the speculations upon the principles which these resolutions contain and what would be their effect if established. They stood upon the immutable basis of self-government, and would ultimately be vindicated and sustained by the American people in every section of the Union.

In the course of the debate on the House bill to establish Territorial Governments in Oregon, California, and New Mexico, Senator Dickinson had occasion to refer again to these resolutions. After a very irritating debate of many days, and which gave at the time no promise of termination, Senator Clayton, from Delaware, proposed to refer the matter to a select committee. The discussion took a peculiarly sectional turn. Senator Niles, from Connecticut, would not listen to any thing that might tend to a compromise of the feelings which characterized the debate, and declared that Senators who facilitated any such compromise would be burned in effigy in some sections of the Union.

Senator Dickinson hailed Senator Clayton's motion with pleasure, and announced his belief that it would tend toward peace. The select committee of eight was appointed by a vote of three to one, and the members entered upon their labors with every disposition to discharge the duties,—made arduous by the causes which led to the formation of the committee. Having concluded

their labors and reported, Senator Dickinson made a brief speech of explanation. He said the bill was presented as the best and most acceptable that could be offered with any hope of unanimity in the Senate. "If the South asked too much and the North was willing to concede too little, they have neither given to the one nor taken from the other. They have encroached upon the rights of neither. They have left the question of Slavery where they found it,—subject to the Constitution and the Congress of the United States; while, at the same time, they have placed the Territories on their way to the Union by the organization of a provisional Government which is restrained from any legislation that can embarrass this difficult subject." The bill did not suit him in all respects, but it was the best that could be produced by agreement. In reply to the charge of inconsistency, Senator Dickinson reproduced the second of his resolutions of December 14, 1847, and held that the Oregon Bill recognised, to the very letter, the principle he contended for, and that, if the entire arrangement of all did not fully come up to his resolution, the spirit of it was thoroughly carried out. He concluded by a graceful testimony to the action of Calhoun on the committee.

At the close of the debate, at daybreak on the morning of the 29th of July, 1848, after a continuous session of twenty-one hours, Senator Dickinson, exhausted as he was with careful watching and anxious nervousness for the honor and safety of the principles he so patriotically and energetically labored to perpetuate, desired briefly to review the history of the affair. Knowing how severely the patience and endurance of the Senate had been put to the test during the feverish hours past, he said he would cheerfully forego any remarks, and allow the vote to be taken at once, if any friend of the measure objected to him. The Chamber seemed refreshed under the influence of his earnest devotion, and from all parts the rather unusual cry of "Go on!" "Go on!" greeted and cheered him.

He thanked Heaven it had been his lot to play an humble part in the mission of peace which had fallen to the lot of the committee to perform, and gave a fervid and forcible review of the duties of the committee,—the opposition that had to be met from demagogues and people willing to traffic in the peace of the Union for Presidential purposes,—and, replying to the positions taken

by Senators, paid a merited tribute to Senator Hale, of New Hampshire, as standing out in honorable contrast with some of those who united with him in opposition to the bill. "He"—said Dickinson—"takes the responsibility of his independent position manfully, and does not attempt to accomplish his ends under cover of pretences and disguises."

Again, on the final close of the debate, August 13, he boasted that he had devoted his best energies to the work, and, as one of the select committee, yielded individual wishes and opinions to secure unanimity. The House of Representatives, however, had laid the bill on the table for the remainder of the session, and sent a bill for the organization of the Territorial Government of Oregon alone. Referred to the Senate Committee on Territories, as is usual, Senator Douglas, the chairman, reported in favor of its passage, with an amendment extending the Missouri Compromise line—the parallel of $36^{\circ} 30'$ north latitude—to the Pacific Ocean. Though opposed, as a principle, to the Missouri Compromise, Dickinson voted for the amendment, "believing it would do little harm and little good," and hoping that, if accepted by the House, there could be no further objection to the organization of Governments for New Mexico and California. The House refused to concur, and the Senate passed its bill on the 10th. The bills to organize New Mexico and California, though brought up the next session, did not succeed, and were turned over into the Administration of Fillmore.

The views and passages given illustrate Senator Dickinson's ideas upon Territorial Government and the Slavery question. A couple of short extracts from his able and sustained effort on establishing a Government for California will fully present the tenor of the distinguished gentleman's arguments on these still—and probably now more than ever—interesting subjects.

"When a portion of these States were colonies of Great Britain, that Government insisted upon abolishing the Colonial Legislatures, and subjecting our people, in matters that concerned their domestic condition, to the legislation of Parliament; and the controversy which arose over this question, more than any other, produced that Revolution which resulted in declaring the colonies to be free and independent States. Not only were they free and independent of other Governments, but as independent of each other as they were of the gigantic Power whose acknowledgment of independence they had conquered. Although they had success-

fully struggled for liberty by a united effort in a common cause, and were bound together by a feeling of sympathy and of interest, they were united by no political bonds whatsoever, and no single State nor any number had the right, in either a moral or political sense, to interfere with or question the institutions of any other. Slavery then existed in all the States, and it was easily seen that, while it would speedily be abolished in some from natural causes, it would long continue in others, whether or not a union of the States was formed; and, as slavery must exist, it was wisely deemed better to have a Union with slavery than slavery without a Union."

And, again, touching the question of the power of Congress over the people of a Territory:—

"I have urged, for the government of the Territories, when a sufficient number of American citizens, or others who can appreciate the obligations of freemen, shall be there, a free Territorial Government; not that kind of freedom which, with liberty on its lips, distrusts the capacity of man for self-government, and seeks to hedge him about with provisos and restrictions; nor that freedom which must be kept in leading-strings, held by some master-power three thousand miles distant, lest man shall care less for himself than his distant fellows shall care for him, and be less wise in governing himself than others would be in acting as his governor; but that freedom which springs from the best instincts of the heart and believes that man is better qualified to rule himself than to govern his neighbor. The Constitution has given no authority to Congress to legislate for the *people* of a Territory, and consequently it has no such right; and Mr. Madison has pronounced any such attempt to be without the shadow of constitutional law."*

As a Northern man, Dickinson declared he would never cross the portals of a Government brought into power upon a Southern sectional issue. He would animate his countrymen to flee it as a contagion; and were he a Southern man he would never recognise a Government brought into power upon a Northern sectional issue,—never. His colleague, he said, told them he was not a free agent, having been instructed, though the instructions agreed with his judgment. There he differed from Senator Dix, "for," said Senator Dickinson, "I belong to the school of a statesman venerated by every friend of liberty, who believed in 'taking the responsibility.' I am a free agent to do as duty may require, and am ready to count personal consequences afterward." He be-

* See speech in the United States Senate, Feb. 28, 1849.

lieved that New York would stand by the principles of non-interference and the Constitution.

On January 17, 1850, a discussion occurred on Senator Clemens's resolution calling on the President for information relative to his action in regard to the government of California. Senators Clemens and King, of Alabama, Smith, of Connecticut, Douglas and Shields, of Illinois, Clay, of Kentucky, Davis and Foote, of Mississippi, Dodge, of Iowa, Whitcomb, of Indiana, Downs, of Louisiana, and Dickinson, of New York, participated in the discussion, which grew quite warm. Personal explanations were made by Douglas and Clemens, again by Shields and Clemens, and yet again by Clemens and Davis. King, Foote, Butler, Dodge, Downs, and Whitcomb interposed at various points, and finally Clemens apologized to Douglas; and the resolution was passed, although the original proposer desired to withdraw it.

The impetus given to the discussion grew out of the unpleasant personal and sectional turn it took. Senator Clemens made an onslaught on the Northern Democracy generally, preferring Northern Whigs, as having commenced their antagonism to the South earlier and not carried it so far. This attack on the Democrats of the North, as being unfounded, did not receive the sanction of leading Southern Senators present. Foote and Downs disclaimed any sympathy with it. Dickinson presented himself in the breach, and made a telling speech. He and other Northern Democrats had stood up there, not for the South alone, but for the rights of all. Regardless of personal consequence and of the chances of popularity and place, he and others had rolled back the bitter waters of sectional strife; and now they were denounced as even less worthy of reliance than their political opponents. He proudly and boldly repelled the wholesale and unjust denunciation, and reviled the evils of sectional agitation. After he had concluded, Senator Davis paid a tribute to Northern Democrats, and especially to Senator Dickinson, who had "come out more boldly in the expression of his opinion than ever before." "I admire him the more," said Davis, "that his courage rises the higher the greater the danger which surrounds him."

In the Senate Mr. Dickinson had great power and influence,

from his readiness in debate. His speeches were seldom lengthy, but always pithy, bold, and to the point. Among other measures which commanded his ardent advocacy in the Senate were the establishment of a branch mint in the city of New York, the coinage of three-cent pieces, and the free circulation of weekly newspapers through the mails within the counties where they were published.

Senator Dickinson's course on the Slavery question raised him to the leadership of the conservative Democracy of New York, and attracted to him numerous friends and adherents all over the Union. This was exceedingly gratifying to the party in his own State; and, on his return to New York, a public banquet was given in his honor at Tammany Hall, June 17, 1850. Charles O'Connor presided, and with a suitable speech introduced the toast of the evening, "*Our Guest*.—By unwavering fidelity to the Union he truly represents the Empire State; by according justice to every section he has attained it for his own." Senator Dickinson in reply made a speech which commanded great attention at the time and may be perused with benefit even now. He reviewed his positions, and illustrated them with his peculiar force.* He was now the representative man of the New York National Democracy, and his character was happily summed up by the "*Democratic Review*" thus:—"The high position of that Democratic Senator,—his truly national and elevated course,—the intrepid and able manner in which he has at all times acted, and especially during the agitation of the exciting and most important questions of the sessions through which, thanks to his patriotic efforts and those of his coadjutors, the Congress of the United States has happily passed,—his frank, direct, and firm adherence to his friends and to the cause and principles the maintenance of which has achieved so much for the country, the perpetuity of the Union, and the rights of the States,—and his personal worth and high integrity of character,—entitle him and his course not only to distinct approval, but to high encomium."†

A letter addressed by Daniel Webster to Daniel S. Dickinson,

* This speech is printed *in extenso* in the "*Democratic Review*" for Aug. 1850.

† *Dem. Rev.*, October, 1850.

after the conclusion of the great struggle in which they had both participated, is such a strong and characteristic testimonial to the character of the writer, as well as to that of him who inspired it, that I must quote a striking passage:—

“WASHINGTON, September 27, 1850.

“MY DEAR SIR:—Our companionship in the Senate is dissolved. After this long and most important session, you are about to return to your home, and I shall try to find leisure to visit mine. I hope we may meet each other again, two months hence, for the discharge of our duties in our respective stations in the Government. But life is uncertain, and I have not felt willing to take leave of you without placing in your hands a note containing a few words which I wish to say to you.

“In the earlier part of our acquaintance, my dear sir, occurrences took place which I remember with constantly increasing regret and pain; because the more I have known of you, the greater became my esteem for your character and my respect for your talents. But it is your noble, able, manly, and patriotic conduct in support of the measures of this session which has entirely won my heart and secured my highest regard. I hope you may live long to serve your country; but I do not think you are ever likely to see a crisis in which you may be able to do so much, either for your own distinction or for the public good. You have stood where others have fallen; you have advanced with firm and manly step where others have wavered, faltered, and fallen back; and, for one, I desire to thank you and to commend your conduct out of the fulness of an honest heart. * * * * * * *

“DANIEL WEBSTER.

“HON. DANL. S. DICKINSON, U.S. Senate.”

In this connection, a passage from a letter of Senator Dickinson's will be quite appropriate. It was written to the committee of the banquet to commemorate the seventy-seventh anniversary of Daniel Webster's birthday. After regretting that an important trial in which he was counsel would deprive him of being present, he writes,—having in his “mind's eye” the cherished letter just given:—

“It is one of the proudest recollections of a life familiar with interesting incidents that I was permitted to be long associated with one so eminent in the public councils, and more especially that I was honored by his confidence and cheered by his distinguished friendship. I cherish with idolatrous devotion the evidences of deep regard which his noble heart furnished, and, in harmony with his own suggestion, shall ‘leave it where it will be seen by those who shall come after me.’

“Great as was Daniel Webster in his life, he was greater in his death.

Great as he was in noble deeds, his memory is greater still; and when time shall have obliterated all traces of petty rivalries and disturbing jealousies which disfigure the surface of society, and have silenced the clamor of partisan jargon, he will 'still live,' with increasing admiration, as pure among patriots, eminent among statesmen, and eloquent among orators."

Mr. Dickinson was the last Democratic Senator from New York. His term expired March 4, 1851. Since that period he has lived chiefly in retirement, devoting himself to rural and professional pursuits at Binghamton.

In 1852, he was brought forward for the Presidency at the Democratic Convention in Baltimore. The influential vote of Virginia was cast for him, and his nomination might have been the result but for his own chivalrous and delicate sense of honor. Senator Dickinson withdrew his name, because, being a delegate to the Convention and pledged to his friend General Cass, whose name was still before it, he thought it inconsistent with a manly friendship, not less than with a high sentiment of honor, to permit himself to be placed in competition with a man whom he had pledged himself to support.

On the election of Mr. Pierce to the Presidency, Mr. Dickinson was pressed for the office of Secretary of State. Mr. Marcy, however, received that place, and the former declined the Collectorship of New York, to which the new President appointed him. Though his retirement is only occasionally broken by a letter or speech of public interest, Mr. Dickinson is still regarded as the head of the conservative New York Democracy. As an evidence of the vitality of his intellect, it is enough to state that his professional services are now in greater demand than at any previous time. At the Democratic State Convention, held at Syracuse on September 1, 1859, Mr. Dickinson made a speech which created immense enthusiasm and produced a healthy effect on the distracted party.

In May, 1857, he visited Washington with his family. His hotel was crowded with the leading people; and, on the evening of the 25th, a serenade was given to him, at which he made a brief and touching speech, alluding to the memories and friendships called up by the occasion. The earnestness of his words, and the picturesque whiteness of his long hair, surrounded the theme "as with a halo." At the commencement of Hamilton

College, July, 1858, the honorary degree of Doctor of Laws was conferred upon him. On that occasion he delivered an address to the graduating class of the Law department.

Such is an outline of the career of one who is equally beloved by the Democracy as a statesman as by his neighbors he is esteemed as a friend, "and whose reward (yet, we trust, to be fully accorded to him) can never be," says a New York journal, "let it take what shape it may, too great for the desert of his inestimable public services."

STEPHEN A. DOUGLAS,

OF ILLINOIS.

THE name of no American statesman has been more familiar to the public ear for several years past than that which heads this sketch. The opinions of none have been more eagerly listened to, more violently attacked, or more gallantly defended than those of "the Little Giant" of the West. The anxiety to hear him in the Halls of Congress has been equalled only by the impatient desire of far-distant places to read what he had said. Newspapers of all shades of political opinion have found it to their advantage not only to state his views, but to chronicle them in his own words: consequently, none of those who may be called his contemporaries, of whatever party, have had such wide-spread publication. In the Democratic party, no one has attracted so much attention in his day; and in the Republican party, Senator Seward alone approaches him in commanding the public eye and ear. His career has been exceedingly brilliant,—the romantic details of his youthful struggles very fitly prefacing the chivalric boldness of his manhood. It is a splendid illustration of the developing influences of American institutions; and the memoirs of Stephen A. Douglas in some future day will nerve many an orphaned youth for the battle of life, and give him strength to combat and to conquer when engaged in it.

Stephen Arnold Douglas was born at Brandon, Rutland County, Vermont, on the 23d of April, 1813. His father, a native of New York and a physician of prominence, died suddenly of apoplexy when his son Stephen was little more than two months old. The widow, Mrs. Douglas, who still survives to witness the greatness of her boy, took her infant and a daughter some eighteen months older to a farm which she had inherited conjointly with her unmarried brother. Stephen received such an education as a common school could bestow, and, arriving at

the age of fifteen, looked anxiously toward a college course. His family were unable to afford the requisite expense; in which event he, thinking it time to earn his own living, left the farm and apprenticed himself to a cabinet-maker,—at which trade he worked, partly at Middlebury and partly at Brandon, for eighteen months. The now solid-bodied and sturdy Senator, who, buoyed up by the force of his intellect, can undergo any amount of fatigue in travel and public speaking, was then a stripling, and not over-hardy. The severity of eighteen months' application at the cabinet-maker's bench so impaired his health that he abandoned the occupation, though not without some regret; for he has often since said that the happiest days of his life were spent in the workshop. Entering the academy at Brandon, he studied for a year, when, his mother, after a widowhood of sixteen years, having married Mr. Granger, of Ontario County, New York,—whose son had previously wedded her daughter,—he removed to Canandaigua with his mother and entered the academy at that place. Here he remained until 1833, studying law with the Messrs. Hubbell.

The activity of his nature, which, no doubt, was the secret of his ill health under the trammels of the workshop, would not let him rest in Canandaigua. Young, and with the instincts which latent power creates, he desired a fresh field; and so, in the spring of 1833, he started West in search of an eligible place in which to woo and win fortune as a lawyer. The way to fortune, like the course of true love, does not always run smooth. Young Douglas was prostrated by a severe illness, and had to remain the whole summer at Cleveland. After his recovery, he continued his search for an "eligible place," visiting Cincinnati, Louisville, and St. Louis in vain. At Jacksonville, Illinois, he was no better pleased, though the state of his funds—now reduced to thirty-seven and a half cents—offered some reason why he might not proceed. If his pockets were empty, however, his heart was full and gave him strength; and applying this strength to the best use, he walked to Winchester, a little town sixteen miles distant, where he hoped to obtain employment as a school-teacher.

At Winchester, a large crowd had collected around the stock of a deceased trader, which was about to be sold by auction. Instinctively, young Douglas was soon in the front rank of the

crowd, to see what was going on. The auctioneer was at a standstill. He wanted a clerk to keep the sale-accounts. Douglas, looking like a man who could read and write, was invited to the clerkship, and promptly accepted it. For his three days' service in this position he received six dollars, with which capital he immediately opened a school and obtained forty scholars, whom he taught for three months at three dollars each. Spending his days in teaching the youth of Winchester, his nights were devoted to his own instruction. Borrowing some law-books in Jacksonville, he mastered their contents, and on Saturday afternoons displayed his book-learning with great effect while practising in petty cases before the justice of the peace of the town. After an examination, he obtained a license from the Judges of the Supreme Court, and in March, 1834, opened an office and commenced practice in the higher courts.

Henceforward the success of Mr. Douglas was marvellous. He immediately rose to distinction at the bar. The only standard by which to measure his rapid progress in the esteem and confidence of the people is to be found in the fact that within a year after his admission, while not yet twenty-two years old, and not over eighteen months a resident of Illinois, the Legislature elected him Attorney-General of the State. In December, 1835, he resigned this office, having been elected to the Legislature by the Democrats of Morgan County. In the Legislature, where he was the youngest member, he continued to increase his reputation, and to ingratiate himself in the affections of his colleagues and constituents. His reputation and power as a Democrat extended, and in 1837 he was appointed Register of the Land Office at Springfield, Illinois, by President Van Buren, and held the office until 1839, when he resigned. In the mean time, although ineligible on the score of age, Mr. Douglas received the Democratic nomination for Congress, in November, 1837. He attained the requisite age before the day of election,—the first Monday in August, 1838,—but lost the election by a quibble. His Congressional district was then the most populous in the United States; and the closeness of the vote shows how thoroughly the canvass must have been conducted. Over 36,000 votes were cast, and the Whig candidate was declared elected by a majority of *five*,—there being more ballots rejected by the

cánvassers in consequence of the mis-spelling of Mr. Douglas's name than would have changed the result.

Mr. Douglas now devoted himself exclusively to his profession, and distinguished himself especially in a case touching the rights of foreign-born voters, to which I will have occasion to refer hereafter. In 1840 he entered upon the Presidential contest in favor of Van Buren and Democracy with great ardor. He traversed the State for seven months, and addressed more than two hundred political gatherings,—about one every day; and to his great exertions is ascribed the adherence of Illinois to the Democracy in that eventful and exciting campaign. Illinois gave her full vote for Van Buren. In December of this year the labors of Mr. Douglas were rewarded by his appointment as Secretary of State for Illinois; and in February following he was elected by the Legislature a Judge of the Supreme Court,—the title of which office has ever since remained associated with his name in the popular mind. In 1843 he resigned his seat on the bench to accept, against his known wishes, the Democratic nomination for Congress. The acceptance of this nomination was urged on him on the ground that he was the only Democrat who could be elected. He was chosen by a majority of four hundred. In 1844 he was re-elected by a majority of nineteen hundred, and again, in 1846, by nearly three thousand majority. He did not take his seat under the last election, having been in the mean time elevated to the United States Senate for six years from March 4, 1847; in which high position he has continued ever since.

In the House of Representatives Mr. Douglas took a prominent position on the Oregon controversy with England, maintaining our title to the whole of Oregon up to $54^{\circ} 40'$, and declaring that he never would yield one inch of Oregon, either to Great Britain or any other Government. He was in favor of the resolution giving notice to terminate the joint occupation, and advocated with great fervor the establishment of a Territorial Government over Oregon, under the protection of a sufficient military force, and the immediate preparation of the country, so that, in the event of a war growing out of what he deemed the assertion of our rights, we might “drive Great Britain, and the last vestiges of royal authority, from the continent of North

America, and make the United States an ocean-bound republic." The foreign policy of Mr. Douglas as a Representative and Senator has uniformly been of a bold, broad, and national character. He has not always agreed with the Administration in power; but he has never swerved from the basis of a fearless and dignified American policy.

He was an early advocate of the annexation of Texas, and was one of those who introduced a substitute for the treaty to effect that object which had failed in the Senate. As Chairman of the Committee on Territories, in 1846, he reported the joint resolution declaring Texas one of the United States; and he ably sustained Polk's Administration in its war measures toward Mexico. Yet he opposed the treaty of peace which closed the Mexican War, on the ground that the boundaries were "unnatural and inconvenient" and that the provisions in regard to the Indians "could never be executed." Our Government has since given ten millions of dollars to Mexico to alter the boundaries and relinquish the Indian stipulations. In like manner, he strenuously opposed the ratification of the Clayton-Bulwer Treaty, upon the ground that it pledged the faith of the United States in all time never to annex, colonize, or occupy any portion of Central America. What was the use of making such pledges? He asked the Senate to keep up with the spirit of the age, to look the future in the face, and prepare to meet that which cannot be avoided. It might not occur in our day, but he believed that, as certainly as the Republic exists, we shall be compelled to colonize and annex Mexico and Central America. He opposed the treaty for another reason:—it was not reciprocal. Great Britain had possession of the island of Jamaica, which was armed, and commanded the entrance of the proposed canal. By the terms of the treaty, we could have no fortification there. He ridiculed Senator Clayton's idea of the friendliness of England to the United States, and showed that it was not in the nature of things that she could be our friend. "England does not love us," he said; "she cannot love us; and we do not love her, either. We have some things in the past to remember that are not agreeable. She has more in the present to humiliate her than she can forgive." He argued also that Mr. Clayton's negotiations recognised the right of Great Britain and all other European Powers to interfere with the

affairs of the American States,—and made the subject of Central America a European instead of an American question.

Senator Douglas has declared himself in favor of the acquisition of Cuba, when that island can be obtained in a manner consistent with the laws of nations and the honor of the United States.

In the spring of 1858 the country was greatly agitated at the news that several American vessels had been visited and searched by English vessels-of-war in the Mexican Gulf and adjacent seas. The sanctity of the American flag had been violated thirty-three times within four weeks. Senators wanted official information before they would act, and thought that the matter could be settled by negotiation. Senator Douglas was for sending a ship-of-war on the track of the *Stryx*, the *Buzzard*, or the *Forward*, or any other English vessel that had been committing the outrages,—to capture her, and bring her into an American port: then, he thought, would be a good time to negotiate. On the 24th of May, he introduced a bill authorizing the President to employ such force as he might deem necessary to prevent the recurrence of the outrages, and to obtain redress for those already committed. The Committee on Foreign Relations smothered this with a substitute not touching the point at issue at all; and the Senator from Illinois, before the close of the session, June 3, introduced a bill to revive and put in force the Act of the 3d of March, 1839, which placed at the disposal of the President, to be used when necessary to resist the unjust claims of Great Britain, the naval and military forces and militia, fifty thousand volunteers, if necessary, and ten millions of dollars,—the Act to continue in force for sixty days after the next meeting of Congress. The proposition was to vest in President Buchanan the same power and discretion which he had moved into the hands of President Van Buren nineteen years previous.* The bill was not adopted; but, in the extra session of the Senate, a series of resolutions reported by Senator Mason from the Committee on Foreign Affairs were adopted, which took cognizance of the outrages and condemned them, and promised further legislation if necessary.

* On motion of Mr. Buchanan, the Act of 1839 passed the Senate unanimously; the House adopted it by 197 to 6.

Mr. Douglas's foreign policy has ever been such as would make our flag respected, if not feared.

As Chairman of the Committee on Territories, first in the House and afterward in the Senate, he reported and carried through the bills organizing the Territories of Minnesota, Oregon, New Mexico, Utah, Washington, Kansas, and Nebraska, and also the bills for the admission into the Union of the States of Iowa, Wisconsin, California, Minnesota, and Oregon. He early took ground touching the Slavery question as involved in the organization of Territories and the admission of new States. He held that Congress should not interfere one way or the other. With this view, he opposed the "Wilmot Proviso," in 1847, when it passed the House as an amendment to the \$3,000,000 Bill for the peace treaty with Mexico, and afterward in the Senate, when introduced as an amendment to the bill for the organization of the Territory of Oregon. In August, 1848, he offered an amendment to the Oregon Bill, extending the Missouri Compromise line— $36^{\circ} 30'$ —westward to the Pacific Ocean, in the sense in which it was adopted in 1820 and extended through Texas in 1845. The amendment passed the Senate, having the support of all the Southern and several Northern Senators. In the House it was defeated by an almost sectional vote.

In the month of January of the session of 1849–50, Mr. Clay offered his celebrated resolutions, which became the basis of the subsequent legislation of that session, known as the Compromise measures.

On the 25th of March, Mr. Douglas, from the Committee on Territories, reported to the Senate two bills,—one for the admission of California as a State, the other for the establishment of Territorial Governments in Utah and New Mexico, and for the adjustment of the Texas boundary. On the 19th of April, on motion of General Foote, of Mississippi, a committee of thirteen was appointed, of which Mr. Clay was made chairman, and to which was referred all the subjects pertaining to the question of Slavery. On the 8th of May, Mr. Clay, from the Committee of Thirteen, made an elaborate report, accompanied by a bill generally known as the "Omnibus Bill." By reference to the original bill, as reported by Mr. Clay and as it now appears on the files of the Senate, it will be seen that, instead of preparing a

new bill, the Committee of Thirteen took the two bills reported by Mr. Douglas on the 25th of March, and converted them into one, by putting wafers between them,—they had been previously printed by the Senate,—making slight amendments, as Mr. Clay stated when he made his report, and erasing the printed words “Mr. Douglas, from the Committee on Territories,” and inserting “Mr. Clay, from the Select Committee appointed the 19th of April, 1850;” so that it read, “Mr. Clay, &c. &c. reported the following bill.” This is an interesting historical fact.

The most important amendment proposed by the Committee of Thirteen to the bills as reported by Mr. Douglas is found in the 10th section, where after the words “that the Legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this Act, but no law shall be passed interfering with the primary disposal of the soil,” they added these words, “nor in respect to African slavery;” the effect of which was to confer upon the Territorial Legislature power over all rightful subjects of legislation, *excepting slavery*; whereas Mr. Douglas’s bill conferred the same power on the Territorial Legislature, without excepting slavery.

No sooner had this report been made by Mr. Clay than it was fiercely assailed by the ultraists North and South. Mr. Jefferson Davis, of Mississippi, moved to amend by adding a proviso that nothing contained in the bill should be construed to deprive the Territorial Legislature of the power to pass laws for the protection of slave-property in the Territories, and made several speeches in favor of that provision. Mr. Salmon P. Chase, of Ohio, proposed an amendment in effect declaring that the bill should not be construed to authorize the Legislature to establish and maintain slavery in the Territories; whereupon Mr. Clay stated to the Senate that the amendment reported by the Committee of Thirteen, excepting slavery from the action of the Territorial Legislature, was incorporated in the bill by the committee in opposition to his vote and judgment. Mr. Douglas moved to strike out of the bill every thing in regard to slavery, so as to restore it to the form in which he had originally reported it, conferring on the Territorial Legislature power over all rightful subjects of legislation, *without* excepting slavery. This motion

was at first rejected, together with the amendment of Mr. Davis in favor of, and that of Mr. Chase against, protecting slavery. The discussion proceeded at great length upon the question whether the Territorial Legislature should have the same authority over the Slavery question as on all other matters affecting the internal policy of the Territory, when, on the 31st of July, Mr. Norris, of New Hampshire, renewed the motion of Mr. Douglas, which was carried by a vote of 33 to 19; thus establishing, as the fundamental principle of the Compromise measures of 1850, the doctrine that the Territorial Legislature was to have the same power over the question of Slavery that it possessed on all other matters of domestic policy.

No sooner had these measures been adopted by Congress than the Southern ultras appealed to the people of Mississippi, Alabama, Georgia, South Carolina, and other Southern States, to resist the action of Congress, because they had conferred upon the Territorial Legislature the right to *prohibit* as well as to protect slavery as they pleased. On the other hand, the ultraists of the North appealed to the anti-slavery feeling of their section to resist and repeal the same measures, upon the ground that they conferred on the Territorial Legislature the right to *introduce* slavery into, as well as exclude it from, the Territories, as the people might choose.

When Congress adjourned, the friends of these measures repaired to their respective homes to defend and justify their action. When Mr. Douglas arrived in Chicago, he found the city in a state of rebellion against the recent Acts of Congress. The City Council, in their official capacity, had passed resolutions denouncing them as a violation of the Constitution and of the higher law of God, and those Senators and Representatives who had voted for them as Benedict Arnolds and Judas Iscariots. In order to make their resistance effectual, the City Council passed resolutions releasing the citizens, officers, and police of the city from all obligation to assist or participate in the execution of these laws, and declared that they (the laws) ought not to be respected by any intelligent community. On the next night, a mass meeting of the citizens was held for the purpose of approving and sanctioning the action of the Common Council and organizing violent and successful

resistance to the execution of the laws. A committee reported to this meeting a series of resolutions more revolutionary in their character, and going to a greater extent in resisting the authorities of the Federal Government, than those of the Common Council. Numerous speeches in support of the resolutions were received with boisterous and furious applause,—pledging their authors to resist even unto the dungeon and the grave. At length, Mr. Douglas, being the only member of the Illinois delegation then in the city, appeared upon the stand, and said that in consequence of the action of the Common Council, and the frenzied excitement which seemed to rage all around him, he desired to be heard before the assembled people of the city in vindication of each and all of the Compromise measures, and especially of the Fugitive-Slave Law. He said he would not address them that night, because the call for the meeting was not sufficiently broad to authorize a speech in *defence* of the measures, but he would avail himself of that opportunity to give notice that on the next night he would address the people of Chicago on those subjects. He invited men of all parties and shades of opinion to attend and participate in the proceedings, assuring them that he would answer every objection made, and every question which should be propounded, touching those measures, including the Fugitive-Slave Law. After further discussion and much confusion and opposition, the meeting was induced to adjourn.

In the mean time the excitement continued to increase, and the next night, October 23, a tremendous concourse of people assembled, before whom Mr. Douglas delivered a speech, some impression of the power and effect of which may be formed from the fact that the meeting resolved unanimously to carry into effect the provisions of the laws of Congress, (the Fugitive-Slave Law included,) adopted resolutions repudiating the action of the Common Council, and then adjourned with nine cheers,—three for Douglas, three for the Constitution, and three for our glorious Union. On the next night the Common Council of the city assembled, and repealed their nullifying resolutions, by a vote of 12 to 1.

In this great Chicago speech, Douglas, holding himself responsible to his constituents for the Compromise measures, avowed

having prepared three of them with his own hand, and having voted for all.

“If,” said he, “there is any thing wrong in them, hold me accountable; if there is any thing of merit, give the credit to those who passed them. *These measures are predicated on the great fundamental principle that every people ought to possess the right of forming and regulating their own internal and domestic institutions in their own way.* It was supposed that those of our fellow-citizens who emigrated to the shores of the Pacific and to our other Territories were as capable of self-government as their neighbors and kindred whom they left behind them; and there was no reason for believing that they had lost any of their intelligence or patriotism by the wayside while crossing the Isthmus or the plains. It was also believed that after their arrival in the country, when they had become familiar with its topography, climate, productions, and resources, and had connected their destiny with it, they were fully as competent to judge for themselves what kind of laws and institutions were best adapted to their condition and interests, as we were, who never saw the country and knew very little about it. To question their competency to do this, was to deny their capacity for self-government. If they have the requisite intelligence and honesty to be intrusted with the enactment of laws for the government of white men, I know of no reason why they should not be deemed competent to legislate for the negro. If they are sufficiently enlightened to make laws for the protection of life, liberty, and property, of morals and education,—to determine the relation of husband and wife, of parent and child,—I am not aware that it requires any higher degree of civilization to regulate the affairs of master and servant. These things are all confided by the Constitution to each State to decide for itself; and I know of no reason why the same principle should not be extended to the Territories. My votes and acts have been in accordance with these views in all cases, except the instances in which I voted under your instructions. Those were your votes, and not mine.”

At least half a million copies of this speech were circulated throughout the country. I have never yet seen or heard of any friend of the Compromise measures of 1850 who did not warmly applaud the speech, and express their gratitude to its author. The appeal to the people by the advocates of those measures met a hearty response from all the friends of the Union, North and South, as is attested by the fact that, in 1852, the ultraists of the Democratic party, who had opposed those measures and appealed to the people to resist, were forced by public opinion to assent to them and agree that the principles on which they rested should

be incorporated in the platform of the party; and still further by the fact that the ultraists in the old Whig party, who had opposed the measures, were in like manner condemned by the people, and compelled to acquiesce in a resolution in the Baltimore Convention adopting these measures, in substance and principle, as a rule of action for the future.

Both parties having thus adopted the measures, it was hoped that the slavery agitation would cease, and that henceforward the people of each Territory and State would be allowed to decide the Slavery question for themselves.

In accordance with this principle, Mr. Douglas introduced the Kansas-Nebraska Bill in 1854, declaring, as its fundamental principle, that "it was the true intent and meaning of the Act not to legislate slavery into any State or Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." His speech in the Senate in support of the bill and against its adversaries was regarded as "the greatest speech of his life." The "Union," then the organ of the Pierce Administration, in an article on the close of the debate,—written by John W. Forney,—said :—

"He took his opponents up one by one, answering every objection with a skill and an effect before which they could make no head. Even those who had observed and appreciated the intellect of the Senator from Illinois on other occasions were surprised at his exhibition of logic and genius on Saturday morning. We have vainly endeavored to recall the numerous striking points of a speech so useful in its facts and in its figures and so inspiring in its vigorous and surpassing eloquence. One of his retorts upon the Abolitionists will be long remembered. Alluding to the poor special plea that the Missouri Compromise was a compact, he said it was no compact. He defended the North against the allegation, which, if true, would deeply dishonor her. If it were a compact, she had violated it, nullified it, trampled it in the dust; and to say that was to insult and to degrade her, especially if now she could be seduced into demanding others to respect what she had never regarded herself. Turning to Mr. Seward, he said, what did the State of New York, in treating of this so-called, and falsely so-called, compact, which now, by her Whig Legislature, (another result of Democratic divisions,) she appeals to us to guard and to save? For years—yes, for more than thirty years—she has sent men here to disregard it. It was no compact: for

when the Missouri Compromise of 1820 became a law, it provided that when Missouri was admitted into the Union she should be admitted as a slave State; and eleven months after that—*chiefly* because she had slavery in her Constitution—New York refused to vote for her admission, and so disregarded the law, or the bargain, or what was then a sort of compact! Mr. Seward attempted to answer this powerful point; but he took his seat abashed and confused. Turning, next, to the trio of Abolition Senators, he spoke to them, and of their unholy plots, and their appeals to violence, and the demonstrations against himself, with a defiant and scorching eloquence that cannot be reported. They quailed before his severe and withering rebukes. To Senator Sumner he said,—alluding to the infamous attempt recently made to insult him in that city,—‘That Boston which closed Faneuil Hall to the immortal Webster for daring to defy her prejudices to the South, and turned him into the streets to vindicate himself and convince her, had also outraged him,—not through her masses, but through the machinations of men sent here by corrupt and dishonorable combinations,—men who affect the airs and graces of gentlemen, who aspire to literary distinction, while they coolly plot their country’s ruin. I am honored by the persecutions and violence of such men.’ His allusions to another Abolition leader almost led us to anticipate a Senatorial suicide! And he was abundantly justified in this castigation; for never before has a public man been so hunted and hounded as Judge Douglas. Not only his character as a Senator, but his reputation as a man, has been vilely traduced; and so far has this fiendish war been conducted that his enemies have not scrupled the foulest allusions to his recent domestic affliction! His pungent retort upon Senator Wade has not often been equalled. ‘That Senator,’ said he, ‘signed an address filled with the foulest aspersions; and yet he confesses he never read it!’ ‘But I have since read it,’ replied the Ohio Senator, ‘and found it true.’ ‘And now,’ responded Senator Douglas, ‘did you not say that a free negro was as good as a white man?’ ‘Yes,’ said Senator Wade; ‘especially in Ohio.’ ‘Well,’ said Judge Douglas, ‘if three free negroes had signed that infamous document which preceded this discussion, I should have more respect than I have shown for it, endorsed as it has been.’

“But it is vain to attempt a description of this really great effort of the Illinois Senator. The readiness of his replies, the correctness of his authorities, the extent of his information, the clearness of his views, the new points presented, have elevated it among the finest of forensic triumphs. It may well be ranked with those proud and memorable achievements of intellect which have given to the American Senate the just renown of being the ablest deliberative body in the world. ‘Sir,’ said he to the President of the Senate, ‘the North and South have common and indissoluble interests. There are Tariff men North and South; there are distribution men North and South; there are Free-Trade men North and South. *Slavery is the only link that divides us.* Let us be just and generous. Thus far, the people have treated it with eminent wisdom and

sagacity. Congress has never acted upon it save to divide the people; the people are always sure to unite and protect themselves. Let us leave it to them. They are the proper judges and the only jurors. The bill under discussion forever removes it from Congress, by reasserting that principle for the future which has been the only source of our happiness and glory in the past.'"*

The Northern agitators succeeded in again raising a whirlwind of fanatical excitement. Mr. Douglas was fiercely and savagely denounced by all Abolitionists and interventionists for advocating the principle that the people of a Territory might have slavery if they wanted, and should not be compelled to have it if they did not want it. He was burned and hung in effigy in every town, village, and hamlet in the United States where an Abolitionist could be found. He could ride from Boston to Chicago by the light of his blazing effigy in the night, and in sight of his hanging effigy by day, upon every tree that he passed. When he arrived in Chicago, he was met by another mob, more savage, brutal, and numerous than the one which greeted him in 1850 when he made his great speech in defence of the Compromise measures. Mr. Douglas gave notice that he would address the people in the open square in front of North Market Hall, in defence of the principle involved in the Kansas-Nebraska Bill. The Abolitionists and their allies determined not to allow him to be heard, for fear of the same result which had occurred on the former occasion,—1850. Hence it was determined to raise a mob and put him down by violence, rather than allow him to speak.

On the day of the meeting, the flags of the shipping in the harbor were hung at half-mast, in pursuance of a previous arrangement by the Abolitionists in their Know-Nothing lodges; and the church-bells were rung as a signal for the mob to assemble. They did assemble, ten thousand strong, armed with clubs, brickbats, bowie-knives, and pistols, and organized into companies, with their leaders, ready for violence or tumult at the given signal. When Mr. Douglas appeared upon the stand, he was greeted with the most unearthly howls; when he commenced to speak, they threw eggs, stones, and clubs, and fired pistols to create a tumult and break up the meeting. He maintained his

* "Union," March 4, 1854.

position for four hours,—sometimes appealing to them,—then ridiculing,—then denouncing their cowardice in combining to put down with force and violence a single man, who used no other weapons than truth and reason. His efforts were futile. The mob grew supreme; and, having held them at bay from eight o'clock in the evening of Saturday till past twelve, in the midst of their imprecations and violence, he deliberately took out his watch, and, looking at it, said to the crowd, "It is Sunday morning: I have to go to church, and you—may go to h—l." He then retired, pursued by the mob, to his hotel.

Immediately issuing notices making appointments throughout the State, he appealed to the people to rally in defence of the great principle that every community should govern itself in respect to its local and domestic affairs. He did not appeal in vain. The people of Illinois did rally, and, in the Presidential election of 1856, gave Mr. Buchanan a Democratic majority upon that distinct issue.

In 1858, the same principle was put to a still severer test. It was now attempted to be violated by the Democratic party and by those Southern political friends with whom Mr. Douglas had always acted. He did not hesitate, but struck a bold blow for the right of the people of Kansas to form and ratify by their own votes their own Constitution, and to have slavery or not, just as they pleased.

In this contest Mr. Douglas was sustained by the entire North, and denounced by a Democratic Administration supported by a united South. He stood firm by his position, maintained it by argument in proof, and defied the consequences personal to himself.

The debate in the Senate will long be remembered. The whole country was excited to a curiosity and anxiety without bounds. Nothing was talked of but "Kansas" and "Douglas." The debate on "Lecompton" continued from the 1st to the 23d of March. The closing scenes were peculiarly interesting. By day and night the galleries were crowded. Mr. Douglas's speech on the 22d was the climax of the debate. The "States" of the following day gave a description of the morning and evening sessions, from which, as it is a memorable chapter of the Congressional history of the times, I extract:—

"If the immense mass of people who crowded the galleries, the lobbies, the stairways, and the ante-rooms of the Senate is any evidence of interest in the question under debate, then Kansas is the most interesting topic of the day, in spite of all that is said against it as a dull, wearying, used-up, and stupid thing. Probably a large portion of the crowd came to show their delight at the approaching close of the debate; numbers came to hear Douglas; and there was considerable discontent outside of the galleries by those who could not get in. During the earlier part of the morning, the ill aspect of Lecomptonism might be read on the faces of the Senators in the interest of that unfortunate juggle. Green was very much nonplussed. As he sat there, quite bewildered, forced to listen to Anti-Lecompton, and feeling that its ultimate triumph was certain, he illustrated that well-known Patience who, sitting on a monument, bit his nails, or in some other manner amused his grief.

"Mason turned his back on Stuart, and, plunging himself into a newspaper, in vain sought to hide that restlessness which Stuart's protest against Pugh's amendment created. Bigler and Benjamin were much more interested in their own thoughts than those emanating from the Senator from Michigan. Consequently, they applied themselves to their desks and carried on private correspondence. Bayard was immersed in the notes of his speech to follow Stuart. King, Collamer, Foot, and Wade paid earnest attention; and Jones, of Iowa, and Hale interchanged that pleasantry for which both are remarkable.

"Senator Douglas entered the chamber just after a fainting lady had been carried out of the gallery, at about twenty minutes past twelve. He was congratulated by men of all parties, and was soon engaged in an earnest confab with Green, upon whose spirits, however, the Little Giant did not seem to work any special change. It was not until the arrival of the Secretary of War, some two hours after, that Missouri was seen to smile.

"The arrival of the Turkish admiral, attended by two other Fez caps, elicited some attention. We looked in vain for the Senate to receive them in Eastern fashion. Cameron did not move; Seward moved not; and Stuart was too tired to salaam. Mason, however, as Chairman on Foreign Relations, entered into an impressive conversation with the Turks, sent for Clingman,* of the House, on whose arrival the two chairmen bowed the three Turks out of the chamber, and, we suppose, all round the Capitol, which was a proper courtesy.

"At the evening session the scene presented in the Senate was one of the most brilliant and exciting we have ever witnessed. No sooner were the galleries cleared when the recess was taken, than the crowds who all the morning expected Douglas would speak, and patiently awaited a chance to get in, filled up the seats. At five minutes after five the galleries were empty; in five minutes more they were filled with a brilliant,

* Then Chairman of House Committee on Foreign Relations.

fashionable, and intelligent array. In the gentlemen's gallery the people were literally walking on each other. They formed a human pyramid reaching up to the windows, on the inside sills of which some persons were fortunate enough to be lifted.

"The reporters' gallery was captured by gentlemen who made a press, though they did not belong to it, and rendered it utterly impossible for our friends of the quill, save with one or two exceptions, to more than preserve themselves from furnishing a local item of 'crushed to death' to their neighbors. For two hours the throngs of people were wedged together in expectancy of the great speech. Some ladies brought books, others their knitting, and thus, having early secured seats, industriously killed the time between five and seven P.M.

"When the Chamber was called to order, Gwin and Seward simultaneously arose with the same purpose,—to move the admission of the ladies to the floor of the Senate. It was agreed to. The doors were thrown open, and a perfect flood of beauty, bearing on the tide all manner of broken hoops and dragged crinoline, poured into the chamber. In a few moments every spot was occupied, while on all the lobbies such discontent arose from the unaccommodated crowds of gentlemen and ladies there, that several times the Chair was called on to despatch officers to allay the disorder.

"The appearance of Senator Douglas was the token for a round of applause. The sight must have been deeply gratifying to him, as it was entrancing to that mother and daughter* who, from the reporters' gallery, looked upon the scene with that anxious pleasure which might tell the physiognomist that they, of all the great and brilliant crowd, had the deepest and most exalted interest in it.

"For three hours Senator Douglas spoke. Commencing calmly, with an expression of doubt of his own physical strength to carry him through the duty before him, he warmed up by degrees, lifting the head and heart of the multitude with him, until one almost felt as if he were in Europe during the revolutions, listening to some powerful tribune of the people expounding their rights and inspiring them to such action as made America a republic. He went through his public course. The period embraced some of the most prominent and vital acts in the history of American politics. He showed—not as a defence, but in a proud, manly, and almost defiant spirit—what his acts had been; he echoed his own words; he was proud of his deeds,—deeds and words which were recognised portions of the policy of the Democratic party.

"As he proceeded, with emphatic and measured dignity, to define his position in the present crisis,—what the duty of a Senator from a sovereign State was, and the responsibility he owed to the people whose voices culminated in him,—he held the multitude chained with that peculiar elo-

* Mrs. Douglas and her mother.

quence which, based on common sense and the rights of man, reaches its destination without the aid of winged rhetoric. Such eloquence does not dazzle, it convinces; it does not stretch the fancy, but solidifies the head; it does not hold the breath, but makes one breathe freer, for it cheers the heart.

"The great burst of applause which broke from the galleries and rolled over the chamber was a nobler testimony to the principles enunciated by the eloquent Senator than might be written. He was there the defender of the people, the Representative of a State, and not the vassal of the Executive, nor the valet of the Administration, to do its bidding without consulting his own judgment or the interests of his people. He stood forth as the champion of State sovereignty. This Union was not an empire or absolute monarchy, in which the States were but provinces without individual and distinct and different rights. It was a confederacy of nations, each one of which was equally represented in the Senate.

"As he exposed the fallacy of making Lecomptonism a test-question with the Democracy, and claimed the right to vote against it, the expression of the faces around gave a verdict in his favor. With admirable adroitness and force, he asked if Brown, of Mississippi, was read out of the party for differing with the neutrality policy of the Administration? if Toombs was read out for opposing the Army Bill? if Mason would be expelled for not swallowing the Pacific Railroad? Why, then, should he be expelled, read out, denounced as a traitor, because he, like those Senators, thought for himself on an Administration measure? The effect was electric, and was greatly indebted to the manner of the Senator from Illinois. He grew in enthusiasm with the progress of his subject; and up to the last sentence, in which he gracefully prayed the indulgence of the Senate to overlook the style of his argument, as his recent illness prevented it being more perfect and satisfactory to himself,—up to the last word,—the mass of people who heard him were not only patient, but delighted. It really was a study to behold the leaders of Lecomptonism."

Having succeeded in defeating the Lecompton Constitution, Mr. Douglas returned to his own State. The elections upon which his seat in the Senate depended were to take place in November. He vindicated his position, and appealed to the Democracy to sustain him. In four months he made one hundred and thirty speeches,—one hundred and twenty-seven of which were in the open air. He spent most of the time in railroad-cars and carriages, on an average going to bed but three times a week. Once during the canvass he was five days and nights without having his clothes off or going to bed. It was a most exciting, hard-fought, and interesting canvass; and the

result was looked for with intense anxiety. Douglas was elected over Abraham Lincoln by 54 to 46 votes.

When Mr. Douglas returned to the Senate after this brilliant triumph, unrivalled perhaps in the political annals of this or any other country, he found himself precipitated into another contest, against fearful odds and numbers, and in defence of the same principle of local self-government. He maintained his position, single-handed, against Senators Brown, Mason, Davis, Hunter, Green, Gwin, and others, and made a notable speech in reply to the first-named, in opposition to a slave-code for the Territories, and in favor of banishing from the halls of Congress all questions touching domestic slavery in the Territories, and remanding them to the people of the Territories, to be disposed of as they may see proper, subject to an appeal to the judicial tribunals, to test the validity of the Territorial enactments under the Constitution of the United States. On the African slave-trade Mr. Douglas is equally explicit. In a letter to Col. John L. Peyton, of Staunton, Virginia, dated August 2, 1859, he says,—

“That question seriously disturbed the harmony of the Convention which framed the Federal Constitution. Upon it the delegates divided into two parties, under circumstances which for a time rendered harmonious action hopeless. The one demanded the instant and unconditional prohibition of the African slave-trade, on moral and religious grounds; while the other insisted that it was a legitimate commerce, involving no other consideration than a sound public policy, which each State ought to be permitted to determine for itself so long as it was sanctioned by its own laws. Each party stood firmly and resolutely by its own position, until both became convinced that this vexed question would break up the Convention, destroy the Federal Union, blot out the glories of the Revolution, and throw away all its blessings, unless some fair and just compromise could be formed on the common ground of such mutual concessions as were indispensable to the preservation of their liberties, union, and independence.

“Such a compromise was effected and incorporated into the Constitution, by which it was understood that the African slave-trade might continue as a legitimate commerce in those States whose laws sanctioned it until the year 1808,—from and after which time Congress might and would prohibit it forever throughout the dominion and limits of the United States, and pass all laws which might become necessary to make such prohibition effectual. The harmony of the Convention was restored, and the Union saved, by this compromise, without which the Constitution could never have been made.

"I stand firmly by this compromise and by all the other compromises of the Constitution, and shall use my best efforts to carry each and all of them into faithful execution in the sense and with the understanding in which they were originally adopted. In accordance with this compromise, I am irreconcilably opposed to the revival of the African slave-trade in any form and under any circumstances."

On the "Naturalization question" Mr. Douglas has not been less bold and consistent. His entire career has been marked by his defence and vindication of the rights of naturalized citizens and men of foreign birth who have made their homes in this country. As early as 1839, he argued a case in the Supreme Court of Illinois which involved constitutional principles of the highest interest. By the Constitution of that State at that time, all white male inhabitants above the age of twenty-one years, who had resided six months in the State, were legal voters. At the Congressional election of 1838, a man of foreign birth, who had never been naturalized according to the laws of the United States, but who was a legal voter in Illinois under the Constitution of that State, had voted for the Democratic nominee for Congress. A suit was brought against the judge of the election to recover a penalty of one hundred dollars for permitting this man to vote; and the judge of the election, being a Whig, and anxious to procure a decision which would deprive all men of foreign birth of the elective franchise, confessed on the trial that at the time he received the said vote he knew the person giving it was not a citizen of the United States, that he did not believe he was qualified to vote, because of being an alien, but that he received his vote in conformity with usage; whereupon the court rendered a judgment of one hundred dollars fine against the judge of the election, upon the ground that an unnaturalized foreigner could not be a legal voter, under the Constitution of the United States, for a Representative in Congress.

Mr. Douglas volunteered in the case, and took an appeal from the decision of the court below to the Supreme Court, for the purpose of testing the question whether a State of this Union had not a right to confer the elective franchise upon whoever it deemed proper, without reference to the Naturalization Laws. Upon the argument, he maintained that, by the Constitution of the United States, the elective franchise was reserved to each

State, with the right to confer it upon such persons, and only such, as each State should decide for itself, without the interference of the Federal Government in any manner whatever, and that this right applied to the election of members of Congress as well as to State officers; that the second section of the first article of the Constitution provides that the House of Representatives shall be composed of members chosen every second year by the people of the several States, and *the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature*; that by this provision each State was to prescribe for itself the qualifications of voters for the election of members of its own Legislature, and was authorized to allow such persons to vote as it should see proper, for the said members of its own Legislature; and that, by the Constitution of the United States, all such persons who should thus be allowed to vote for members of the Legislature should be voters for Representatives in Congress in such State; consequently, if the State chose to allow foreigners to vote, whether naturalized or not, for its own local officers, the Constitution of the United States provided that the same class of persons should vote in that State for Congress. Mr. Douglas denied that it was competent for Congress to interfere with the elective franchise in any case or to any extent whatever, but that all things pertaining to the right of suffrage were exclusively reserved by the Constitution to each State for itself.

The Supreme Court of the State of Illinois, although composed of a political majority in the ratio of three to one against Mr. Douglas, decided in his favor on this proposition, and affirmed the right of each State to regulate the elective franchise without reference to the action of the Federal Government.

This decision is believed to be the first on record in which this doctrine was affirmed.

Subsequently, in the House of Representatives, in 1844, when Mr. Levin, a Native-American member from Philadelphia, proposed in Congress to extend the Naturalization Laws to twenty-one years, for the purpose of depriving American residents of foreign birth of the right of voting, Mr. Douglas replied to his speech, and showed conclusively that Mr. Levin could not accomplish his object in that way, for the reason that by the Constitu-

tion of the United States the elective franchise was solely within the control of each State to decide for itself; and that naturalization had nothing to do with the right of voting,—neither conferring nor withholding the privilege; and that, consequently, each State would have the same right to permit men of foreign birth to vote before the twenty-one years expired as afterward, even if the Naturalization Laws should be abandoned in the manner proposed by the Native-American party. He maintained the same position successfully in the Committee of Elections in 1843–44, on the contested-election case between Messrs. Botts and Jones, of Virginia, when a large number of persons of foreign birth, who were legal voters by the laws of Virginia, but who had not been naturalized according to the laws of the United States, had voted for Mr. Botts.

When “Know-Nothingism” made its appearance in the United States, in 1854, Mr. Douglas made the first speech ever delivered in America against it, at Philadelphia, on the Fourth of July of that year.

In that speech—which was published and widely circulated at the time—he denounced Know-Nothingism as anti-American and anti-republican on two distinct grounds: *first*, that it proscribed persons because of their birthplace; *second*, that it proscribed persons because of their religious worship. He contended that to proscribe a man on either of these grounds was contrary to the genius of our republican institutions, repugnant to the Constitution of the United States, and contrary to all the principles which led to the settlement of the American colonies, were vindicated by the Revolutionary struggle, and upon which our republican system of government rests; that these States had, from their earliest settlement, been declared a place of refuge for the oppressed of all nations; that Protestants and Catholics, Quakers and Huguenots, Cavaliers and Puritans, had each in turn been oppressed in their native land and forced by the spirit of persecution to seek refuge in the wilderness of America, in order that they might be permitted in peace and safety to worship God according to the dictates of their own conscience; that after their arrival here, when the British crown attempted to invade their civil and religious rights and deprive them of the privileges of self-government in their respective colonial Legislatures in respect

to their internal polity and domestic concerns, they all united and made common cause, without reference to birthplace or religious creed, in repelling the aggression and maintaining their rights of religious worship and of self-government, each person according to his own conscience, and each State according to its own internal policy. When their independence was achieved, they again united in establishing the Constitution of the United States, in which the same principles which had brought their fathers to America, and which had produced the Revolution, were affirmed and perpetuated. He denounced "Know-Nothingism" as an attempt to subvert those great fundamental principles, and called upon all the friends of free government and of religious freedom to unite in crushing it out as the common enemy of our republican institutions.

While Douglas was in Europe, he several times discussed this question with eminent statesmen. In the course of a conversation with the Swedish ambassador to Russia, the latter emphatically declared that every monarch in Europe would respond to the Austrian circular—on the release of Koszta by Captain Ingraham—denying the right of any Government to naturalize the subject of another Government. Senator Douglas asked him if his royal master, King Oscar, would join in such a declaration, and was answered in the affirmative. Whereupon Douglas gave the interesting chapter of Swedish history which recounts the naturalization of Marshal Bernadotte, the Frenchman, by Sweden, in opposition to the wishes of Napoleon. Bernadotte became king, and Oscar is his son. The Swede was embarrassed, and a Russian nobleman, taking up the theme, asserted the "European" principle. For him the American had a chapter of Russian history on the subject. The first object which attracted his attention when he anchored in the harbor of Odessa was a beautiful statue at the head of a long stone staircase which stretched from the seaside to the boulevards. It was erected to the Duke de Richelieu. Who was he? A Frenchman who had fled to St. Petersburg on the breaking out of the French Revolution. He was welcomed by the Emperor Paul, and immediately naturalized, without the consent of France, and made a general in the Russian army. When Alexander succeeded to the throne, Richelieu was made governor of Odessa and vice-regent of the

Russian dominions on the Black Sea, and on his death the inhabitants of Odessa had, in gratitude for his services, erected the monument. Douglas then asked the Russian by what right was Richelieu naturalized, the only reply to which was "an invitation to champagne." Still more recently the Senator from Illinois has said :—

"Under our Constitution there can be no just distinction between the right of native-born and naturalized citizens to claim the protection of our Government at home and abroad. Unless naturalization releases the person naturalized from all obligations which he owed to his native country by virtue of his allegiance, it leaves him in the sad predicament of owing allegiance to two countries, without receiving protection from either,—a dilemma in which no American citizen should ever be placed."*

In "Harper's Magazine" for September, 1859, Senator Douglas published an elaborate paper on "The Dividing Line between Federal and Local Authority," embracing a discussion of Popular Sovereignty in the Territories. It is a comprehensive application of his views to the Constitution, from which his positions are deducted. It is considered one of the ablest papers ever produced, and elevates the author, in the opinion of some of the foremost publicists, to the rank achieved only by the great constitutional lawyers and statesmen of the country. A week after its publication, Hon. J. S. Black, Attorney-General of the United States, issued, anonymously, "Observations on Senator Douglas's Views of Popular Sovereignty, as expressed in 'Harper's Magazine' for September, 1859;" to which Senator Douglas issued a reply in pamphlet form in October. Judge Black returned the compliment, and Douglas, though suffering from an almost fatal illness, published a rejoinder in November.

In 1852, the name of Stephen A. Douglas was brought before the Baltimore Convention for the Presidency, and again at the Cincinnati Convention, where, on the sixteenth ballot, he received 122 votes. After this he withdrew, by telegraph from Washington, his name in favor of Mr. Buchanan. He was a thousand-fold more anxious for the triumph of the Democratic party than for his own elevation; and, lest his continuance before the Convention might endanger its harmony, he desired Colonel Rich-

* Peyton letter.

ardson to withdraw him, and begged his friends to vote for Buchanan, which they did, nominating him on the next ballot.* His name is again the most prominent one in the Democratic party before the country for the Presidency. Relative to the subject, Mr. Douglas, in reply to J. B. Dorr, Esq., of Dubuque, Iowa, asking if his friends were at liberty to present his name to the Charleston Convention for the Presidential nomination, gave the following contingencies, with which this sketch of the eminent statesman may aptly conclude:†—

“If—as I have full faith they will—the Democratic party shall determine in the Presidential election of 1860 to adhere to the principles embodied in the Compromise measures of 1850, and ratified by the people in the Presidential election of 1852, and reaffirmed in the Kansas-Nebraska Act of 1854, and incorporated into the Cincinnati platform in 1856, as expounded by Mr. Buchanan in his letter accepting the nomination, and approved by the people in his election,—in that event my friends will be at liberty to present my name to the Convention if they see proper to do so.

“If, on the contrary, it shall become the policy of the Democratic party—which I cannot anticipate—to repudiate these their time-honored principles, on which we have achieved so many patriotic triumphs, and, in lieu of them, the Convention shall interpolate into the creed of the party such new issues as the revival of the African slave-trade, or a Congressional slave-code for the Territories, or the doctrine that the Constitution of the United States either establishes or prohibits slavery in the Territories beyond the power of the people legally to control it as other property,—it is due to candor to say that, in such an event, I could not accept the nomination if tendered to me.”

While this work was passing through the press, Mr. Douglas submitted the following important resolution to the Senate, with a view to prevent the recurrence of such outrages as recently disgraced Harper’s Ferry:—

“*Resolved*, That the Committee on the Judiciary be instructed to report a bill for the protection of each State and Territory of the Union against invasion by the authorities or inhabitants of any other State or Territory, and for the suppression and punishment of conspiracies or combinations in any State or Territory, with intent to invade, assail, or molest the Government, inhabitants, property, or institutions of any other State or Territory of the Union.”

* See “Official Proceedings of the National Democratic Convention held in Cincinnati, June 2–6, 1856. Published by order of the Convention.” p. 46.

† The letter is dated Washington, June 22, 1859.

EDWARD EVERETT,

OF MASSACHUSETTS.

THIS eminent man, whom an eloquent admirer suggests is the "Raphael of word-painting,"* was born in April, 1794, in the old Puritan town of Dorchester, Norfolk County, Massachusetts, and is descended from one of the earliest settlers of Massachusetts Bay, who established himself at Dedham, where the family still remains. He is a younger brother of Alexander Hill Everett, eminent in literature and diplomacy, who died in June, 1847, at Canton, where he succeeded Mr. Cushing as Minister Plenipotentiary; and fourth child of Oliver Everett, who, commencing life as a carpenter's apprentice, entered Harvard at the age of twenty-three, became a minister of the gospel at thirty, retired, after ten years' service, from ill health, and at the age of forty-seven was appointed Judge of the Common Pleas in Norfolk County, and died in that office in 1802, at the age of fifty-two.

The subject of this sketch went to the public schools of Dorchester and Boston, attended for a year the school kept by Ezekiel, the brother of Daniel Webster, and was prepared for college entrance at the academy at Exeter, New Hampshire, when the distinguished Dr. Benjamin Abbott was head-master. He entered Harvard College when only a few months more than thirteen years old, and left it at seventeen, with its first honors. He now bethought him of a profession,—showed some preference for the law, but changed his mind—at the instance, it is said, of President Kirkland and Mr. Buckminster—and took to divinity. He pursued this study for two years at Cambridge, and acted as Latin tutor during a portion of that time. In 1813, not yet twenty years old, he succeeded Mr. Buckminster in the Brattle

* "The Golden Age of American Oratory," by Edward G. Parker, Boston, 1857.

Street Church, in Boston, and entered upon his arduous duties with such zeal as to materially impair his health. His discourses, even at this early age and succeeding so eloquent a preacher as Buckminster, drew very decided attention; and their hearty, honest eloquence created expectations which were not disappointed.

In 1814, he published quite an elaborate treatise, (five hundred pages,) entitled "A Defence of Christianity," in answer to "The Grounds of Christianity Examined," by George B. English. The exposition is said to be complete, was regarded as a successful effort, and, considering the youth of the author, may be classed among "the most remarkable productions of the human mind." Dr. Kage, Bishop of Lincoln, quoted it with respect, as the work of an able writer. In this same year, the late Samuel Eliot, of Boston, established, anonymously, a foundation for a Greek professorship at Cambridge. Mr. Everett was invited to the new chair, with the tempting offer of leave to visit Europe to recruit his health. He took the chair in 1815, before he was twenty-one, and departed for Europe.

On arriving at Liverpool, news was received of Napoleon's escape from Elba, which detained Mr. Everett in London until after the battle of Waterloo. He then went by the way of Holland to Göttingen, and entered the university there, famous in the eccentric verse of Canning. He remained more than two years, acquiring the German language, and making himself acquainted with the state of philological learning, the mode of instruction in the German universities, and those branches of ancient literature appropriate to his professorship. During the vacations he travelled in Prussia, Saxony, and Holland. Leaving Göttingen, he passed the winter of 1817-18 in Paris, in study, chiefly of the Romaic, preparatory to a tour in Greece. At this time he made the acquaintance of Adamantius Coray, or Coraes, whose writings and annotated editions of the old writers contributed so largely to the revival of Greek literature in Greece. In the spring of 1818, Mr. Everett went from Paris to London, passed a few weeks at Cambridge and Oxford, and made a tour through Wales, the lakes of Cumberland, and Scotland. During his stay in England he became on terms of intimacy with many eminent literary and political men, including Scott, Byron, Campbell,

Jeffrey, Sir James Mackintosh, Sir Samuel Romilly, Sir Humphry Davy, Lord Holland, and Gifford. In the autumn of 1818, in company with the late General Lyman, of Boston, he set out on an extensive tour in the East of Europe. After visiting the most interesting portions of the South of France, Switzerland, and the North of Italy, they divided the winter and early spring between Florence, Rome, and Naples,—Mr. Everett studying ancient art in its connection with ancient literature. Through Canova, he obtained constant access to the library of the Vatican. In March, 1819, the travellers passed through the lower part of the kingdom of Naples, and crossed from Otranto to Corfu, thence to Yanina, the capital of Albania. Having letters from Byron to Ali Pacha, and from Ignatius, the Metropolitan of Prevesa, to Muchtar Pacha, son of the aged Vizier and Governor of Albania, they received many civilities. Spending a few months at Yanina, Mr. Everett and his friend crossed Mount Pindus into Thessaly, visited Veli Pacha, second son of Ali, at Turnavo, examined Pharsalia and Thermopylæ, went over the mountains, and passed to Athens by the way of Delphi and Thebes. After a stay of two or three weeks at Athens, they made the tour of the Morea, recrossed Parnassus into Thessaly, and took passage from the Gulf of Volo for the plains of Troy and Constantinople. Encountering a storm off Mount Athos, their vessel sprung a leak; and, leaving her at the island of Lemnos, they made the rest of the voyage to the Troad in an open caïque; spent the month of June in Constantinople, returned through Wallachia, Hungary, and Austria, and in the autumn of 1819 were home in America, after an absence of four years and a half. This residence abroad was one of peculiar interest and advantage to Mr. Everett. Greece commanded his freshest memories of classic literature and history. In Italy and Sicily, even, the traveller is still in the modern and Western world. “But,” says Mr. Everett, “he realizes, with full consciousness, that he is indeed on his pilgrimage when his eyes rest upon those gems of the deep which the skill of the Grecian minstrel has touched with a spark of immortality; when he can say to himself, as he passes along, ‘On this spot was unfolded the gorgeous web of the Odyssey; from that cliff Sappho threw herself into the sea; on my left hand lie the gardens of Alcinous,—and the olive and the grape and the orange still cover

the soil; before me rises the embattled citadel which Virgil describes; on my right are the infamous Acroceraunian rocks of Horace; and within that blue mountain barrier which bounds the horizon were concealed the mystic grove and oracle of Dodona,—the cradle of the mythology of Greece.’”

On his return, Mr. Everett diligently applied himself to his professorship, and, in addition to his regular lectures, published a translation of Buttman’s Greek Grammar, from the German, and a Greek Reader, on the basis of Jacobs. About this time he joined the club of literary and scientific gentlemen who owned and edited the “North American Review,” which had been established some years but could not boast of any positive success. Mr. Everett accepted the editorship, commenced a new series, and also a new era. The Review soon became somewhat famous; and a second, and even third, edition of some numbers was demanded. From his first connection with it, says the “American (Whig) Review” of 1850,* he attempted to give to it an American character and spirit. He made it a special object to defend the country against foreign tourists and essayists. During his long residence abroad, he had observed that writers of these classes assailed American principles while they affected only to assail American customs. America was vilified by them, that republican institutions might be disparaged and made contemptible. One of the ablest of these writers—Captain Marryatt—afterward substantially avowed this as the object of his work on the United States! The “North American Review,” under Mr. Everett’s charge, distinctly met such attempts. In his second number he began a series of papers in systematic vindication of our country. This was in commenting on “Walsh’s Appeal from the Judgments of Great Britain.” To this article, one of the contributors to the London “New Monthly Magazine” made a flippant reply. To this paper Mr. Everett rejoined; and, at the close of the year, Campbell, the poet, then editor of the “New Monthly,” in the preface prepared for the annual volume, admitted that the article in question “was published without reflection,” and that he was “dissatisfied with himself for having published

* A very able monthly published at New York, which closed a brilliant career in 1852, after what Horace Greeley called the death of the Whig party.

it, long before the fair and temperate reply which Mr. Everett made to it had reached him." Campbell went still further, and made a handsome defence of America against the charges of British writers. "It was a duty," he said, "particularly imposed upon him by the candid manner of Mr. Everett's reply; and it was otherwise, as he felt in his heart, deservedly claimed by a people eulogized by Burke and Chatham, by a land that brings such recollections to the mind as the wisdom of Washington and Franklin and the heroism of Warren and Montgomery."*

In February, 1820, Mr. Everett preached a sermon in the Capitol at Washington, which, judging from the testimony of Judge Story, must have settled the preacher's character as an orator among men of intellect. Judge Story writes, "The sermon was truly splendid, and was heard with a breathless silence. The audience was very large; and, being in that magnificent apartment of the House of Representatives, it had vast effect. I saw Mr. King, of New York, and Mr. Otis, of Massachusetts, there. They were both very much affected with Mr. Everett's sermon; and Mr. Otis, in particular, wept bitterly. There were some very touching appeals to our most delicate feelings on the loss of our friends. Indeed, Mr. Everett was almost universally admired as the most eloquent of preachers. Mr. King told me he never heard a discourse so full of unction, eloquence, and good taste."

It would appear that Mr. Everett was now quite busy, yet it is remarked that his editorial duty on the "Review" was but an accompaniment to his regular labors as Eliot Professor at Cambridge. He prepared and delivered a course of lectures on the "Literary History of Greece," giving an account of the life and works of every Greek writer from the remotest period down to the Byzantine era. Among several shorter courses were two on "Antiquities and Ancient Art," which were repeated before large popular audiences in Boston. It is believed that these were the first purely literary lectures delivered there before general audiences. The custom is now a favorite way of imparting and receiving knowledge and entertainment.

In 1822, the Messenian Senate of Calamata, the first organized

* "New Monthly," 1821,

body of the Greek Revolution, through their commissioners at Paris sent their Appeal in manuscript to Mr. Everett, who, by request, translated it into English and published it in this country. In October, 1823, he had an article in the "North American," accompanied by a translation of the Constitution of Epidaurus. His appeal created much interest throughout the United States, and many sympathetic meetings were held. At the next session of Congress, Daniel Webster lent the power of his genius to the cause; and in 1826, Mr. Everett communicated the correspondence of Kolocotroni, the military Greek chief, and Mr. Jarvis, an American serving in Greece with him, to Mathew Carey, of Philadelphia. That active and whole-souled philanthropist wrote "An Address on the Subject of the Greeks," "The Case of the Greeks Stated," and other appeals.* These efforts resulted in the despatch of several cargoes of clothing and provisions for the suffering Greeks.

On the 8th of May, 1822, Mr. Everett was married to Charlotte Gray, daughter of Peter Chardon Brooks, one of the leading men of Boston.

During the four years of Mr. Everett's editorship of the "North American" he wrote fifty articles for it, to which may be added some sixty others contributed while it was under the management of his brother Alexander and those who succeeded him.

The first oration which drew upon Mr. Everett the eyes of his countrymen at large was delivered at Cambridge, before the Phi-Beta-Kappa Society, August 27, 1824. The occasion was one well calculated to call forth the eloquence of the young orator. He stood in the presence of much of the genius and learning of the land,—of those who had written their names in their country's history, and whose fame was not confined to the vast republic which claimed them as her sons.† La Fayette was among those present; and the peroration of the discourse, which was addressed to the brother-in-arms of the soldiers of the Revolu-

* See "Miscellaneous Essays," &c. &c., by M. Carey, author of "Vindiciæ Hiberniæ," "The Olive-Branch," &c. Philadelphia, 1830; pp. 297-306. Mr. Everett's letter to Mr. Carey may also be found here.

† See Allibone's Critical Dictionary of English Literature, where a full list of Mr. Everett's writings will be found.

tion, touched a chord of sympathy in the immense audience. Making touching allusion to the heroes and sages who had passed from earth since the French sympathizer had helped to achieve our liberty, he said,—

“Above all, the first of heroes and of men, the friend of your youth, the more than friend of his country, rests in the bosom of the soil he redeemed. On the banks of the Potomac he lies in glory and peace. You will revisit the hospitable shades of Mount Vernon, but him whom you venerated, as we did, you will not meet at its door. His voice of consolation, which reached you in the dungeons of Olmütz, cannot now break its silence to bid you welcome to his own roof. But the grateful children of America will bid you welcome to our shores; and whithersoever your course shall take you, throughout the limits of the continent, the ear that hears you shall bless you, the eye that sees you shall give witness to you, and every tongue exclaim, with heartfelt joy, ‘Welcome! welcome, La Fayette!’”

In the life of every man who becomes famous there is some one event, some point, upon which his admirers dwell as the index to a turning-point of his successful career. This oration was Everett's. He was already known and appreciated as a man of letters. His capacity as a speaker had also been recognised by the few, but was not a settled fact to the many. “Then,” says Mr. Parker, in his enthusiastic paper on Mr. Everett, “was heard for the first time, by a great promiscuous audience, the strains of that eloquence,—the most classical, the most scholarly, and every way exquisite, to which the academic groves of that seat of learning had ever echoed from the day of its original charter. The theme was the vindication of the favorable relation to letters of republican institutions; and there was given, in one branch of art at least, the best evidence of republican fertility and perfection. At the age of thirty Edward Everett stepped down from that stage with a reputation as an orator established beyond all cavil.”

It was probably owing to the impression produced by this address that Mr. Everett was drawn into the politics and diplomacy of the country. He had heretofore taken no active part or apparent interest in politics. But the gentleman who had for eight years represented the Middlesex district in Congress declined re-election, and the young men wanted a representative on high intellectual grounds, now that the old lines of party

politics were wellnigh obliterated. The presence of La Fayette at Mr. Everett's recent speech gave it more than the usual publicity. Its own merits then made way for it. Its words were ringing in the heads and hearts of the very men who wanted a high-toned representative. As the praises of the speaker filled many mouths, what more natural than that several should name him for the Congressional vacancy? He *was* named, and nominated at a convention of young men of the district, and that, too, without consulting him; and he was elected by a handsome majority.

In the House of Representatives, though taking part in every important debate, he was not remarkable for anxiety to get the floor, although used to public speaking and full of those resources which would command attention. He chose rather to devote himself to the discharge of that part of the public business which devolved on him. He was greatly distinguished as a working member, and gave such satisfaction to his constituents that he was re-elected four consecutive times. The "*American Review*" gives so concise a *résumé* of his career in Congress that it is adopted here with some slight alteration and addition.

During his whole service in the House of Representatives, he was on the Committee on Foreign Affairs. In the Twentieth Congress, his second term, he was appointed chairman of that committee by the Hon. Andrew Stevenson, of Virginia, then (and during the Twenty-First, Twenty-Second, and part of the Twenty-Third Congress) Speaker. Mr. Stevenson acted on the principle that an Administration, (Quincy Adams was then President,) although in a minority in the House, is entitled to the chair of that committee as a position of peculiar confidence. Mr. Everett had hardly taken his seat in Congress when he drew up the report on the mission to the Congress of Panama consequent upon the independence of the South American Republics, which had been recognised in the previous session. This was a favorite measure with Mr. Clay, who desired to make the United States, so far as the American continent was concerned, the centre of a system of which the new Republics were to be the political satellites. It created great excitement at the time; and it was an uncommon evidence of the esteem in which Mr. Everett's talents were held that he, although the youngest member of

the committee, was permitted to draw up the report. He was in the minority in the Retrenchment Committee of the Twentieth Congress, and drew up those portions of its reports which relate to the Departments of State and War. With Henry R. Storrs, of New York, he took a prominent position against the Indian policy of General Jackson, ("the removal of the Indians, without their consent, from lands guaranteed by treaty,") and on that subject made a speech in reply to the Chairman of the Committee on Public Lands. In 1830, ex-President Madison addressed his celebrated letter on Nullification to Mr. Everett, by whom it was appended—with the permission of the author—to an article on that subject by Mr. Everett in the October number of the "North American Review" for that year. The fallacy of the doctrine of Nullification, which had been treated with all the gravity of a distinct system, was completely exposed in this article. It was illustrated with a singular novelty, and the argument was remarkable for great strength, which called attention to it and gave it great force wherever read. About this time Mr. Everett delivered a speech on the Tariff policy, "to which no answer was ever attempted." It reviewed and combated one of Mr. Calhoun's favorite doctrines,—that the duty on goods imported is paid, not by the consumer, but by the Southern planter, as a large producer of the exported article given in exchange. Mr. Everett shows that, admitting the principle that the duty is paid by the producer of the article given in exchange, still it is paid by the consumer, for he is, of necessity, the ultimate producer of the article finally given in exchange, and therefore the payer of the duty, even on the Southern statement of the principle.

Mr. Everett was a member of the most important select committees appointed during his service in the House of Representatives, such as those on the Indian relations of the State of Georgia, on the Apportionment Bill, and on the Bank of the United States, (the committee which sat in Philadelphia in 1834.) In all the instances in which he served, his pen was in demand. He prepared either the majority or minority report in every case. His last act as a Representative in Congress was the drafting of the minority report of the Committee on Foreign Affairs on the French controversy in 1834-35, and a speech on

the same in the House. The King of the French, it is said, paid the highest compliment to the liberal spirit evinced in these efforts and to the knowledge of the subject displayed therein.

Having, in the autumn of 1834, announced his intention of retiring from Congress, Mr. Everett was nominated in the winter of 1835 for Governor of Massachusetts, and elected in the following autumn. In the Gubernatorial chair his efforts were unceasing for the welfare and general prosperity of his State. There was nothing that escaped his vigilance and did not benefit by his taste. While directing the energies and counselling the intellect of the Commonwealth, it gave liberal assistance to the Western Railroad, established the Board of Education, preserved a sound currency during the financial smashing and crashing of 1837, prosecuted elaborate scientific surveys of the State, and appointed the Criminal-Law Commission.

During Everett's Governorship the surplus revenue was distributed. He desired to appropriate the share of Massachusetts to the development of mind and body,—between the railroads and the colleges. He wanted to give one million dollars to pay the State subscription to the Western Railroad, and to divide the remainder, over seven hundred thousand dollars, among the colleges, common schools, and an astronomical observatory. If this disposition had been made, Massachusetts would now have had a fund yielding an interest of eighty thousand dollars. Other counsels prevailed, and the surplus was divided among the towns instead of the schools and colleges. His efforts for the advancement of education, however, were unremitting. The best illustration of the uses of culture himself, he labored indefatigably and zealously for the educational culture of the Commonwealth. In his annual speech to the Legislature of 1837, he earnestly recommended the establishment of a Board of Education. About the same time Mr. Edmund Dwight anonymously donated a large amount of money for the expenses of normal schools and the salary of an active secretary to such a board. The board was established on the 29th of June, 1837. Governor Everett was appointed chairman and Mr. Horace Mann elected its first secretary.

The novelty of the movement,—says the Hon. Charles W. Upham, of Salem,—the immense extent, diversity, complexity,

and minuteness of the objects within its scope, the inadequacy of its powers and means, the vague and exaggerated expectations of wonderful results to be reached at once, entertained by many of the most sanguine and busy friends of the cause, political jealousies, with the use made of them by intriguing partisans, and, more than all, sectarian opposition, embarrassed the board exceedingly during the earlier years of its operations, which were, besides, years of peculiar financial difficulty in the community at large. The value of the services of Governor Everett, under these disadvantageous and perplexing circumstances, cannot be overestimated. He wrote the several annual reports of the board, and, as chairman of most of the sub-committees, he also discharged a great amount of labor and bore the constant burden of responsible care. His indefatigable fidelity, his conscientious and enlightened prudence, his extraordinary discretion as a statesman, and his profound enthusiasm in the cause, were what the crisis absolutely needed.*

Mr. Everett held the office of Governor four successive years, and in the election of November, 1839, was defeated by the Democratic candidate, Judge Morton, by *one* vote, out of over one hundred thousand. He now sought relief for himself and family in European travel. He sailed in June, 1840, spent the summer in Paris, and the following year in and about Florence, where English-speaking people most do congregate, and where, as Leigh Hunt says, there are music and graceful memories wherever you turn. Here Mr. Everett would have tarried, but a change in political affairs "at home" elevated the party with which he acted. General Harrison was elected President, and Daniel Webster was made Secretary of State. The Whig party, which, with the exception of a spasm of success that lifted John Quincy Adams to the Presidency, had struggled through the stubborn repose of opposition for a generation, suddenly and with great *éclat* broke through the trammels of their minority and grasped the reins of power. Everett's distinguished position in the party and his relations with Webster pointed him out for some important duty under the new Administration.

Hon. Andrew Stevenson, formerly Speaker of the House, and

* "Christian Examiner," Nov. 1849.

then Envoy Extraordinary and Minister Plenipotentiary to Great Britain, requested his own recall upon the change of Administration, and Mr. Everett was appointed to succeed him. For this most important position few were so well fitted. His studies and career were such as almost to fulfil the requisites of a regular diplomatic training. In the German university he had learned the elements of civil law as a branch of classical antiquities. His five or six years' residence abroad had made him familiar with the language of the chief courts of Europe. His ten years' service on the Committee on Foreign Affairs in Congress brought all its objects within his grasp. As Governor of Massachusetts, he had mastered the almost endless details of the Boundary question. As Daniel Webster said of him, he carried to Great Britain many qualities, most of them essential, and all of them ornamental and useful, to fill that high station. He had education and scholarship; he had a reputation at home and abroad; more than all, he had an acquaintance with the politics of the world, with the laws of this country and of nations, and with the history and policy of the countries of Europe.

He entered upon the duties of his mission in London at the close of 1841. The leading questions between the United States and Great Britain then were the Northeastern Boundary, the affair of McLeod, and the seizure of American vessels on the coast of Africa. Changes of Administration had taken place on both sides of the Atlantic, and led to protracted negotiations. Still further changes took place in the American Cabinet. Between the retirement of Mr. Webster from the chair of State in 1843 and the incoming of Mr. Buchanan under the Polk Presidency, Messrs. Legare, Upshur, and Calhoun had successively taken charge of the State Department. These movements added to the difficulty of Mr. Everett's position; yet from each of the statesmen mentioned he received satisfactory marks of approbation and confidence.

When Sir Robert Peel came into power, in September, 1841, Webster's proposition to negotiate a settlement of all pending questions between the two Governments was received with favor. The world demanded peace; trade, civilization, religion, intelligence, and universal philanthropy were opposed to any thing but peace. So thought and argued Webster. So also

thought Peel and Aberdeen. In consequence of this unanimity of opinion, the British Government determined to send Lord Ashburton, "a particular friend of Mr. Webster," specially to the United States with full power to settle all points of controversy between the Governments. Yet, from the documents communicated to Congress from time to time, we find that many topics connected with the disputed points were incidentally treated in Mr. Everett's correspondence with his own and the British Government. In this way many elaborate notes to the Earl of Aberdeen and despatches to the State Department at Washington have been made public; yet they form, it is said, but a small portion of the documents of both classes prepared by Mr. Everett in the fulfilment of his mission. In consequence of the multiplication of subjects of controversy, the increase of private claims, and the extension of commercial intercourse generally, there was twice as much business transacted at the American Legation in London from 1841 to 1845 as at any former period. Mr. Everett, however, is a man of assiduous habits as well as comprehensive intellect, and received the complete confidence of his Government. When Congress, in 1843, made an appropriation for a mission to China under circumstances demanding immediate action, the President and Senate appointed him to open negotiations. He, however, was forced to decline the honor. In the autumn of the same year he received full powers to adjust the Oregon difficulty; but Great Britain transferred the settlement to Washington, and sent Sir Richard Pakenham thither for that purpose. Mr. Everett, while in office, brought many subjects to a successful issue, among which were several claims for the seizure of vessels on the coast of Africa, and the demands of American citizens for duties levied contrary to the commercial treaty. "In reference to the latter, he had the justice of the claims admitted, and proposed the principle of off-set, by which they were liquidated." He obtained the concession of the right to fish in the Bay of Fundy, which had created so much ill feeling between our fishermen and the Provincial authorities for thirty years. He also obtained at various times the release of fifty or sixty Americans who had been sent to Van Diemen's Land for participating in the Canadian rebellion of 1837-38. Not the least gratifying

of the testimonials received by Mr. Everett while in England was the degree of LL.D from Dublin and Cambridge, and that of D.C.L. from Oxford.

Upon the accession of Mr. Polk and the Democratic party to power, Mr. Everett was recalled, and Mr. Louis McLane, who had served in the same capacity during Jackson's Administration, appointed his successor.

Mr. Everett returned to Boston in the autumn of 1845; and the Presidency of Harvard University, vacant by the resignation of the Hon. Josiah Quincy, having been pressed upon him, he was inaugurated in that office on the 30th of April, 1846. He held this position three years, with the most excellent results to this leading institution. His connection with it, either by residence near it or official position, had been preserved almost constantly from his boyhood. His Presidency was thus endeared to him by the associations of his life. He resigned in 1849, and was succeeded by Jared Sparks.

Daniel Webster died on the 24th of October, 1852, and President Fillmore appointed Edward Everett to succeed him as Secretary of State. But a few months had to elapse until the term of the Administration would expire; yet the new Secretary of State had sufficient time to command the applause of the whole country.

Between the United States and Spain the relations had not been of the most amicable nature. Cuba was the cause. The invasion of the Queen of the Antilles by armed Americans was a subject that occupied the minds of statesmen in Europe and America. Europe began to think that America meant to have Cuba by any means, and thus control the Gulf of Mexico. Consequently, France and England proposed a treaty to the United States, by which the three Powers should solemnly disclaim, "now, and forever hereafter, all intention to obtain possession of the island of Cuba." Everett replied on the 1st of December, 1852, and took ground that the question was an American and not a European one; that European Powers had no right to interfere; and that, while the United States would not violate existing neutrality, she would not relinquish the right to act in relation to Cuba independent of any other power. The reply met with the universal approval of the people. Its keen

logic and broad views disconcerted the foreign Powers. Everett thus showed the Count de Sartiges the impracticability of entertaining such a treaty:—

“The convention would be of no value unless it were lasting; accordingly, its terms express a perpetuity of purpose and obligation. Now, it may well be doubted whether the Constitution of the United States would allow the treaty-making power to impose a permanent disability on the American Government for all coming time, and prevent it, under any future change of circumstances, from doing what has been so often done in times past. In 1803, the United States purchased Louisiana from France; and in 1819, they purchased Florida from Spain. It is not within the competence of the treaty-making power in 1852 effectually to bind the Government, in all its branches, and for all coming time, not to make a similar purchase of Cuba.”

Upon the basis here set down by Everett, Douglas, in the Senate, denounced the Clayton-Bulwer Treaty as a palpable violation of the Constitution, as it bound us with regard to Central America exactly as Mr. Everett said we should not be bound relative to Cuba. He argued that such a policy might suit Europe, where international relations are of great antiquity, but it was a mistake to think that the law of American growth and progress could be arrested by the proposed convention. Then, again, there was another strong objection to the proposed agreement,—our aversion to entangling alliances with European Powers.

Concluding his note to the British Minister, Mr. Everett intimates a “final objection.” M. de Turgot and Lord Malmesbury gave as a reason for the compact, the attacks by “lawless adventurers from the United States” on Cuba. Everett shows that such a treaty, instead of putting a stop to these proceedings, would give them a powerful impulse.

“No Administration of this Government,” he writes, “however strong in the public confidence in other respects, could stand a day under the odium of having stipulated with the great Powers of Europe that in no future time, under no change of circumstances, by no amicable arrangement with Spain, by no act of lawful war, (should that calamity unfortunately occur,) by no consent of the inhabitants of the island, should they, like the possessions of Spain on the American Continent, succeed in rendering themselves independent,—in fine, by no overruling necessity of self-preservation,—should the United States ever make the acquisition of Cuba.”

The "Democratic Review," then attracting wide notice in Congress as well as throughout the country, hailed Mr. Everett's letter "as the best paper that has ever appeared on the subject from the State Department." Douglas did likewise in the Senate, and said that, "if he had done nothing else to render his administration of the State Department illustrious, his name would live in all coming time in that diplomatic letter, as one who could appreciate the spirit of the age and perceive the destiny of the nation."

Succeeding Hon. John Davis as United States Senator from Massachusetts, Mr. Everett participated in the debates of the extra session of the Senate which commenced immediately after the inauguration of Pierce on the 4th and continued to the 28th of March, 1853. The chief feature of this session was the state of the Central American question. On the 9th of March, Senator Clayton entered upon an elaborate defence of the treaty with which his name is so intimately connected. He insisted that the Monroe doctrine, which declared the exclusion of European Powers from further colonization on this continent, never had the approval of the United States Government. Several Senators replied. In the course of Senator Douglas's remarks, he handed Clayton over "to his friend from Massachusetts; for," he said, "he will not dare to accuse *him* of political prejudices and partisan feelings." On the 21st of March, Senator Everett elucidated the question in a comprehensive and eloquent vindication of the action of our Government, reviewing the matter, and counselling peace and forbearance.

On the 16th of April, the replies of France and England to Mr. Everett's letter on Cuba were read to Mr. William L. Marcy, who had succeeded to the Department of State. He did not deem a reply necessary; and so the matter dropped.

Senator Everett participated in the debate on the Nebraska Bill in the spring of 1854, and presented, on the 14th of March, the mammoth memorial from Massachusetts, signed by three thousand clergymen, against its passage.

In consequence of ill health, Mr. Everett resigned his seat in the Senate in June, 1854, and has devoted himself to literary pursuits ever since, adding, if possible, to his already great reputation by orations and addresses. He has been for years engaged

on a "Treatise on the Law of Nations," for which his scholarship, assiduity in research, equability of temper, foreign travel, and experience in State and diplomatic affairs, give him peculiar and fortunate advantages. In addition to the "Defence of Christianity," published in his youth, Mr. Everett has issued his speeches and orations, in three volumes. The last volume contains an elaborate index, prepared by S. Austin Allibone, Esq. The extended contents of these may be found in Allibone's "Dictionary of Authors." Mr. Everett claims attention as a poet; but it is to his oratorical efforts that his numberless admirers delight to do especial homage. Under its spell, Lord Napier called him the Magician of Massachusetts.

In a somewhat prosy poem, Margaret Fuller (D'Ossoli) pays tribute likewise to the orator:—

"Oft have I listen'd to his accents bland
 And own'd the magic of his silvery voice,
 In all the graces which life's arts demand,
 Delighted by the justness of his choice.
 * * * * *

He scarce needs words: so exquisite the skill
 Which modulates the tones to do his will,
 That the mere sound enough would charm the ear,
 And lap in its elysium all who hear.
 The intellectual paleness of his cheek,
 The heavy eyelids, and slow, tranquil smile,
 The well-cut lips, from which the graces speak,
 Fit him alike to win or to beguile:
 Then those words, so well chosen, fit, though few,
 Their linked sweetness, as our thoughts pursue,
 We deem them spoken pearls, or radiant diamond dew."*

A French critic of his orations pays a well-merited compliment to Everett and the high purpose to which he has schooled his abilities. M. Laboulaye says, "*Les sujets sont naturellement très-variés, la pensée y est toujours la même: tout s'y réduit à un seul point, l'éducation intellectuelle, morale, patriotique, du peuple.*"*

Mr. Everett has taken a deep interest in the preservation of Mount Vernon for the nation, and has lectured all over the country in behalf of that object. In the spring of 1857, he

* "Summer on the Lakes," Boston, 1844, p. 189.

† "Journal des Débats," October 6, 1853. See Allibone.

made a Southern tour, and was received with great *éclat*. His patriotic oration on Washington made Southern journals vie in doing him honor, and also in giving vent to feelings of union which must have been deeply gratifying to him. "In Charleston," says a Richmond journal, "in Columbia, the capital of South Carolina, in the alleged stronghold of Southern treason and disloyalty, Mr. Everett's offerings upon the shrine of patriotism were received with a heartfelt and enthusiastic applause, which must have satisfied this illustrious son of Massachusetts that the people by whom he was surrounded are quite as true to the Union and the Constitution as those by whom they are daily accused of faithlessness to the national compact;" and the "Columbia Carolinian" remarked, "He must have perceived that we cherish still a love for the constitutional republicanism that our Washington gave us, and that to-morrow, if sectional agitation were to cease, the South would be ready to join in that great national jubilee which he hoped would spring from the hearts of every section to celebrate the next anniversary of Washington's birthday." These were flattering results of his oratorical portraiture of "the Father of his Country."

The cultivated ease of his manner, his broad national views, and the fact that he is to all intents and purposes a literary man rather than a politician, has created a wide-spread respect for his name, while his native State is justly proud of his attainments and elevated character. At the last Webster birthday-celebration in Boston, Caleb Cushing, introducing the name of Mr. Everett, alluded to him as "one pre-eminent as a scholar and a statesman, not merely in this our Commonwealth of Massachusetts, not merely in these United States, but wheresoever on earth—and that is to say throughout the civilized world—the English tongue is spoken; pre-eminent in all which adorns a statesman, a scholar, a gentleman."

With Webster the name and genius of Everett are forever entwined. As the latter was the worthy friend of the former, so is he the worthy eulogist. In his edition of the works of Webster, and in other places, he had done justice to his great friend; but the condensed splendor and picturesque force of all his thoughts and feelings on the suggestive subject were put forth on the inauguration of Powers's statue of Webster, on the 17th of Septem-

ber, 1859. Inspired by the man, those best thoughts and feelings played about his effigy like a crowning halo. They interpreted the ponderous dignity of the great statesman, his wealthy nature, his private radiance, and his public breadth, to the proud audience, who were thus, by the magic of Everett's genius, made more familiar with the already well-known and widely-appreciated body and brain of him, the opening of whose career inspired Lowndes to say that "the South had not in Congress his superior, nor the North his equal." This oration is a production of exceeding beauty. What a fine and characteristic contrast is that showing Webster the evening before and the day he made his second speech on Foote's resolutions!—

"As I saw him in the evening," said Everett, "borrowing an illustration from his favorite amusement, he was as unconcerned and as free of spirit as some here have often seen him while floating in his fishing-boat along a hazy shore, gently rocking on the tranquil tide, dropping his line here and there with the varying fortune of the sport. The next morning he was like some mighty admiral, dark and terrible, casting the long shadow of his frowning tiers far over the sea, that seemed to sink beneath him; his broad pendant streaming at the main, the stars and stripes at the fore, the mizzen, and the peak, and bearing down like a tempest upon his antagonist, with all his canvas strained to the wind and all his thunders roaring from his broadsides."

The following passage so succinctly chronicles and characterizes Webster's leading efforts, and so eloquently reflects the purposes and effects of *his* oratory, that, in justice to the great dead and the great living son of Massachusetts, it cannot be omitted:—

"Let it not be thought, however, that I would represent Mr. Webster's speeches in Congress or elsewhere as destitute, on proper occasions, of the most glowing appeals to the moral sentiments, or wanting, when the topic invites it, in any of the adornments of a magnificent rhetoric. Who that heard it or has read it will ever forget the desolating energy of his denunciation of the African slave-trade in the discourse at Plymouth,—or the splendor of the apostrophe to Warren in the first discourse on Bunker Hill,—or that to the monumental shaft and the survivors of the Revolution in the second,—or the trumpet-tones of the speech placed in the lips of John Adams in the eulogy on Adams and Jefferson,—or the sublime peroration of the speech on Foote's resolution,—or the lyric fire of the imagery by which he illustrates the extent of the British empire,—or the almost supernatural terror of his description of the force of conscience in the argument in Knapp's trial? Then, how bright and fresh the description of Niagara! how beautiful the picture of the morning in his private

correspondence, which, as well as his familiar conversation, was enlivened by the perpetual play of a joyous and fertile imagination! In a word, what tone in all the grand and melting music of our language is there which is not heard in some portion of his speeches or writings?—while reason, sense, and truth compose the basis of the strain. Like the sky above us, it is sometimes serene and cloudless, and peace and love shine out from its starry depths. At other times, the gallant streamers, in wild, fantastic play, emerald and rose and orange and fleecy white, shoot upward from the horizon, mingle in a fiery canopy at the zenith, and throw out their flickering curtains over the heavens and the earth; while at other times, the mustering tempest piles his lowering battlements on the sides of the north, a furious storm-wind rushes forth from their blazing loopholes, and volleyed thunders give the signal of the elemental war!"

The extent of Mr. Everett's enthusiasm in the patriotic cause to which he has devoted so much time and talent for the past few years may be gleaned from a late number of the "Eclectic Magazine," which gives an account of his labors in connection with the Mount Vernon fund. His Washington oration was first delivered February 22, 1856, and has been given since then one hundred and twenty-nine times, yielding \$55,783 62. For the "Mount Vernon Papers" in the "New York Ledger" he received \$10,000, and in other ways smaller sums,—making a contribution to the Mount Vernon fund of \$68,163 56. In addition to his labors for this object, he has delivered lectures for other benevolent associations, making a total of more than *ninety thousand dollars* in a little more than three years. It is to be understood, too, that Mr. Everett has travelled many thousand miles, and defrayed all his expenses from his private purse. He has done this, too, when much occupied by private and public affairs, and frequently in delicate health. No man, we are confident, ever before did so much for noble objects in so short a time. All honor to this statesman, orator, scholar, and noble man! As long as Mount Vernon looks down on the Potomac and the memory of WASHINGTON is revered on earth, his name will live and be honored,—associated, as he has made it, with the dearest spot and the memory of the dearest man of America.

MILLARD FILLMORE,

OF NEW YORK.

THE career of ex-President Fillmore, in its energy and results, affords a most agreeable study to those who do not deem honor and honorable position unworthy of an upright devotion in the seeker after their rewards. The history of his life is an index to the young and ambitious of what may be won by assiduity and earnest application.

Records are extant touching the career of one of Mr. Fillmore's earliest ancestors in this country, from which may be traced that energy of character for which the early struggles and more mature success of the subject of this sketch are distinguished.

The great-grandfather of Millard was John Fillmore, son of English parents, who emigrated to this country. The said John was born at Ipswich, Massachusetts, about the year 1702. Having a fancy for the sea, he, at the age of nineteen, went on board a fishing-vessel, which sailed from Boston, and had been out but a few days when, falling in with a pirate-ship, commanded by one Captain Phillips, the vessel was captured, and young Fillmore was detained as a prisoner. Acting, probably, on the belief that the romance attaching to the pirate life, as well as the prospect of gain, would win over the youth to become one of his crew, Phillips desired Fillmore to sign the piratical articles of his vessel. He was met by a prompt refusal. Again and again was he solicited, and even threatened with death if he did not sign. Still the youth persistently refused,—which course subjected him, during nine long months, to hardships against which only his strong constitution and hopeful spirits enabled him to hold up. In course of time, two others were taken prisoners by the pirates. These also refused to sign the articles; and, leaguely with Fillmore, the three made an attack upon the

pirates, killed several, got possession of the vessel, and brought her safely into Boston. The surviving pirates were tried and executed; and the gallant conduct of the captors drew forth an acknowledgment from the British Government, as well as the applause of the Colony. The printed narrative of the adventure is said to exhibit details of one of the most daring and successful exploits on record. This John Fillmore, from whom all of the name in the United States are descended, died in that part of the town of Norwich now called Franklin, in Connecticut.

Nathaniel, the son of John, was a soldier of the Revolution, having learned to fight in the French War, and settled at Bennington, in Vermont, then known as the Hampshire Grants. He was a lieutenant under Stark, and heard the immortal death-or-victory address of his general at Bennington:—"Boys, there's the enemy! They *must be beat*, or Molly Stark must sleep a widow to-night! Forward, march!" He died in 1814. His son Nathaniel—born at Bennington, April 19, 1771—removed in early life to Summer Hill, Cayuga County, New York, where his son Millard, the future President of the United States, came into existence almost at the same time as the present century, being born on the 7th of January, 1800. Soon after the birth of his son, Nathaniel, who was a farmer, lost all his property by a defect in the title to a purchase he had made. In 1802 he removed to the town of Sempronius, (now Niles,) and in 1819 again removed to Erie, there to cultivate a small farm with his own hands. The mother of Millard Fillmore was Phebe Millard, daughter of Dr. Abiathar Millard. "She was a native of Pittsfield, Massachusetts, and, though of limited education, possessed intellect of a very high order, united with great native beauty, graceful manners, and exquisite sensibility; so that she was eminently distinguished among her connections." It is to be deplored that this interesting woman did not live to witness the eminence achieved by her son. She died in 1831.

The limited means of his father precluded the possibility of Millard's obtaining any other than the very imperfect advantages afforded by the common schools of the county. Books were scarce and dear; and at the age of fourteen—an age at which Caleb Cushing and the Everetts had already been many months familiar with the walls of Harvard, an age at which the boy

Bryant had a poem in the second edition—young Fillmore had scarcely wandered from the common school-books to the Bible. At this time he was sent into the wilds of Livingston County, to learn the trade of a clothier. Remaining there for some four months, he was placed with another person in Sempronius, to continue at the same trade, adding thereto the business of wool-carding. Here, and soon after his return, the first opportunity presented itself for the acquirement of any general knowledge through books. A village library was formed. The delightful frenzy which seizes a youth when the light of knowledge first breaks in upon his mental darkness now possessed our young wool-carder and clothier; and for four years his every leisure moment found him packing away in his insatiate memory the facts, experiences, and lessons from such works of history, biography, and travel as he could command.

The effect produced on him, with his good natural parts and looks, was such as to attract the attention of Judge Wood, of Cayuga County, a man of wealth, capacity for business,—though he had little,—and a most estimable citizen. He believed he saw in the clothier's apprentice something above the destiny of the shop-board,—abilities which needed only proper development to lead to usefulness, if not to elevated distinction. He advised him to quit his trade and study law; and so impressed was the judge with the talents of the youth that, in reply to the objection of want of means, friends, and education, he offered to supply all,—to take him into his office, defray his expenses, and await the result for repayment. An offer so complimentary and so earnest in its character could not fail of acceptance. The apprentice bought the remainder of his time, and entered Judge Wood's office. "We have heard," says a good authority, "that his former employer protested against the choice which his apprentice made; declaring that he had been intent on the lad's future welfare, but he had been foolish enough to leave a good business to become a lawyer." The same authority gives us the facts of the succeeding years of progress.

For more than two years young Fillmore applied himself closely to business and study, reading law and literature, and practising as a surveyor. Fearful of incurring too large a debt to his benefactor, he taught school for three months in the year, and thus

acquired the means of partly supporting himself. In the autumn of 1821, he removed to the county of Erie, and the following spring entered a law-office in Buffalo, where he sustained himself by teaching, and continued his legal studies till 1823, when he was admitted to the Court of Common Pleas. Being, however, too diffident of his then untried powers to enter into competition with the older members of the bar in Buffalo, he removed to Aurora, in that county, where he commenced the practice of law. Here, in the year 1826, he married Miss Abigail Powers, youngest child of the late Rev. Lemuel Powers, and descended maternally from Henry Leland, one of the earliest settlers of Massachusetts. By this lady Mr. Fillmore has had two children,—a son and daughter. In 1827, he was admitted as an attorney, and in 1829 as a counsellor, in the Supreme Court. Previous to this time, his practice had been very limited, but his application to juridical studies had been constant and severe, so that in these few years of comparative seclusion he acquired that general knowledge of the fundamental principles of the law which contributed to give him an elevated rank in the profession. His legal acquirements and skill as an advocate soon attracted the attention of his brethren in Buffalo; and he was offered a highly-advantageous connection with an elder member of the bar in that city, which he accepted, and removed there in 1830.*

Meanwhile, Mr. Fillmore had made his first entrance into public life, having been elected to the House of Assembly from Erie County, and taken his seat in January, 1829. It is an evidence of the satisfaction of his constituents that he was re-elected the two succeeding years. During this period, and for long after, the Democratic party was in a triumphant ascendancy in both branches of the New York Legislature; and, though no opportunity presented itself for any unusual display of Mr. Fillmore's powers, yet his integrity and business capacity made him respected even by his antagonists. He soon added the esteem of his political enemies to the confidence of his political friends; and it is recorded, much to Mr. Fillmore's credit, that it was a common remark among the members, "If Fillmore says it is right, we will vote for it." To him are the citizens of the State largely,

* "National Portrait-Gallery," vol. ii.

if not chiefly, indebted for the erasure from the statute-book of that disgraceful remnant of the days of barbarism,—imprisonment for debt. He took a very active part in advocacy of its abolition, and, as a member of the committee on the subject, did great service in perfecting the necessary details.

Mr. Fillmore was now promoted to the National Legislature. He was elected to Congress in the fall of 1832, and took his seat in the memorable session following the removal of the deposits from the United States Bank, and when, from the character of the men engaged on both sides of the stormy conflict, the new member of the Opposition could improve his silence in watching the tactics and receiving instruction from the development of the experienced legislators and debaters by whom he was surrounded.

His term closed, and he returned to his profession, but was again—yielding to public request—called to Congress in 1837. In this, the Twenty-Fifth Congress, Mr. Fillmore was more actively engaged than during his first term, and still more in the Twenty-Sixth Congress, to which he was re-elected by a largely-increased majority. Placed on the Committee on Elections,—expected to be the most important next to that on Ways and Means,—he greatly distinguished himself when the celebrated contested case of New Jersey came up. Having unravelled the complicated details, he set the whole matter forth with clear and convincing ability. But with a majority, both of the House and the committee, against him, it could not have been expected that he would be able to control a result which was determined on strict party grounds. One of Mr. Fillmore's biographers, to whom I have had more than once to refer, credits to the investigation of this Jersey case the production of even greater results. He places it, with the currency measures adopted by the Administration of Mr. Van Buren, among the causes which contributed to the overthrow of the Democratic party and the triumph of the Whigs in the Presidential election of 1840, as well as the majority obtained by them of members elected to both Houses in the Twenty-Seventh Congress.

To this Twenty-Seventh Congress Mr. Fillmore was returned by a larger majority than was ever before given in his district. He was given the prominent and arduous position of Chairman of the Committee of Ways and Means. The time, too, was well

calculated to try the talents of Mr. Fillmore. The biographer of Webster, speaking of this period, alludes to the fact that General Harrison offered the Senator from Massachusetts his choice of a seat in the new Cabinet, though he desired him to take the Treasury Department. "This preference was founded on the fact, now universally confessed, that Mr. Webster was by far the ablest financier in the country; and, as the currency was in a most deplorable condition, requiring the highest constructive abilities to restore it to its former state of soundness, it was natural enough to look to such a man for such a labor." This view may explain the arduous position into which, as Chairman of the Committee of Ways and Means, Mr. Fillmore was promoted.

In the fulfilment of these duties in committee, he gave exceeding satisfaction to his friends and party,—than which no man can expect to do more. In many instances, his conduct is spoken of with enthusiasm.

"To bring order out of confusion, to replenish the national treasury, to provide means that would enable the Government to meet the demands against it and to pay off the debt, to revive the industry of the country and restore its usual prosperity,—these were the tasks devolved on the Committee of Ways and Means. With an energy and devotion to the public weal worthy of all admiration, Mr. Fillmore applied himself to the task; and, sustained by a majority in Congress, whose industry and zeal in the public service, under peculiar embarrassments, has seldom been equalled and never surpassed, he succeeded in its accomplishment. The measures he brought forward and advocated with matchless ability speedily relieved the Government from its embarrassment, and have fully justified the most sanguine expectations of their benign influence upon the country at large. A new and more accurate system of keeping accounts—rendering them clear and intelligible—was introduced. The favoritism and other evils in the Treasury were checked by the requirement of contracts; the credit of the Government was increased; ample means were provided for the exigencies of the public service; and the payment of the national debt was secured."

As leader of the majority in the House,—after his severe labors in committee,—labors which demanded an iron constitution and great vitality of spirits to sustain,—Mr. Fillmore was required to give his unremitting attention to the business of the House, to make any explanation that might be asked for, and be ready with a complete and triumphant refutation of every objection that the ingenuity of his opponents could devise. All this,

too, was required to be done with promptness, clearness, dignity, and good temper.

The severity and extent of these duties, as well as the state of his private affairs,—which, during several years of public service, had necessarily been neglected,—suggested relaxation from the former and attention to the latter. At the close of the first session he communicated his disinclination to be renominated for Congress. This was done in the shape of a letter; but, notwithstanding his desire, he was renominated by acclamation and earnestly pressed to accept. Deeply affected by this great proof of confidence, he still adhered to his determination, and at the close of his term returned home, “more gratified at his relief from the cares of official life than he had ever been at the prospect of its highest rewards and honors.”

In 1844, however, with some reluctance, he accepted the Whig nomination for Governor of New York. The signal defeat of the party is matter of history. In the year 1847, he was again brought forward, for the Comptrollership of the State, and was elected by a larger majority than had been given to any State officer at any former election during many years. On the 1st of January, 1848, he removed to Albany, to fulfil the new trust reposed in him.

We now arrive at the most important era of Mr. Fillmore's political career.

From the time that information of the brilliant victories achieved by General Taylor at Palo Alto and Resaca de la Palma first reached the United States, his name had been associated with the Presidency; and from the date of Governor Marcy's letter censuring him for his leniency to the Mexicans on their capitulation of Monterey, the popular sentiment in his favor had warmed into active sympathy. He had been nominated for the office at various public meetings in different sections of the country, and was urged upon the National Convention, as the people's most available and popular candidate, by the delegates from Louisiana.* The personal friends of Mr. Clay brought *him* forward, again, as the proper candidate; while the friends of

* “History of the Republican Party,” &c., by Benjamin K. Hall, New York, 1856.

Daniel Webster felt the time had come to pay their debt of gratitude to him. Others suggested General Scott; but Taylor was nominated in convention, and, immediately after, Millard Fillmore received the nomination for Vice-President over Abbot Lawrence and twelve others. "Taylor and Fillmore" became the successful rallying-cry of the Whigs. In February, 1849, Mr. Fillmore resigned the office of Comptroller to enter upon the Vice-Presidency, and on March 4, 1849, he took the oath of office. His address to the Senate was commended for its modest dignity and sound principles.

In 1826, Calhoun, as presiding officer of the Senate, had assumed the position that the Vice-President had no power to call a Senator to order for words spoken in debate. In the English Commons no member can be made liable for any thing that he may say in debate.* Calhoun's decision had been acquiesced in; but Fillmore thought it improper, and on a fitting occasion announced his determination "to maintain decorum in debate." The Senate unanimously entered his views on the journal.

Pending the exciting questions which issued in the Compromise measures of 1850, General Taylor died, on the 9th of July, —a few days more than one year and four months from the date of his inauguration. Early in that day, Webster begged leave to interrupt Senator Butler, then addressing the Chamber, to announce the extreme illness of the President; whereupon an adjournment took place. The next morning, a communication addressed to both Houses of Congress by Mr. Fillmore brought official intelligence of the hero's death. Then Mr. Webster presented the following formal resolutions:—

"*Resolved*, That the two Houses will assemble this day in the hall of the House of Representatives, at twelve o'clock, to be present at the administration of the oath prescribed by the Constitution to the late Vice-President of the United States, to enable him to discharge the powers and duties of the office of President of the United States, devolved on him by the death of Zachary Taylor, late President of the United States.

"*Resolved*, That the Secretary of the Senate present the above resolution to the House of Representatives, and ask its concurrence therein."

* For a comprehensive view of the *modus operandi* of the various branches of the English Government, see a handbook recently issued, entitled "How we are Governed; or, the Crown, the Senate, and the Bench," by Albany Fonblanque, Jr., Esq., London, 1859.

The resignation of Taylor's Cabinet on the day after his death threw upon the new President the sudden and always difficult task of selecting ministers. On the 20th of the month, he called to his councils Daniel Webster, of Massachusetts, as Secretary of State; Thomas Corwin, of Ohio, as Secretary of the Treasury; Charles M. Conrad, of Louisiana, as Secretary of War; William A. Graham, of North Carolina, as Secretary of the Navy; Alexander H. H. Stuart, of Virginia, as Secretary of the Interior; Nathan K. Hall, of New York, as Postmaster-General; and John J. Crittenden, of Kentucky, as Attorney-General,—all gentlemen of eminent talents and respectability and possessing to a large degree the confidence of the country.

President Fillmore's first message of importance was that of the 6th of August, 1850, in regard to the difficulties growing out of the boundary-dispute between Texas and New Mexico. He recommended Congress to address itself at once to the settlement of the boundary, with the assent of the Government of Texas, at the same time warning Texas from taking any aggressive measures against New Mexico,—showing that outside of her own boundaries she could not exercise any authority, and should be considered a trespasser, in which case nothing was left to him but to obey the solemn injunction of the Constitution and exercise the high powers vested in him to prevent such trespass or intrusion by the authority of the United States.

Calm, but firm, reasonable, but decided, this message inspired confidence in the new Administration. The first annual message was looked forward to with considerable interest as a declaration of the views and principles of the President and his Cabinet. More extensive in matter, it was characterized by the same tone of conciliation and decision. Alluding to the painful dispensation which placed him at the head of the Government, he proceeded in a general manner to outline the policy which ought to be pursued by the Government both in its intercourse with foreign nations and in its management of internal affairs. With regard to foreign nations, he expressed his desire to maintain strict neutrality, cultivate friendly relations, reciprocate every noble act, and to perform scrupulously every treaty-obligation. By fulfilling these duties to other States we best entitle ourselves to like treatment from them; or if that, in any case, be refused,

we can, said President Fillmore, "enforce our own rights with justice and a clear conscience." He announced the Constitution to be his guide in domestic policy, and in questions of doubt to seek its interpretation in the Supreme Court. Recommending a modification of the Tariff, the message said, "A high tariff can never be permanent. It will cause dissatisfaction, and will be changed. It excludes competition, and thereby invites the investment of capital in manufactures to such excess that when changed it brings distress, bankruptcy, and ruin upon all who have been misled by its faithless protection." It argued that duties should be specific in preference to *ad valorem*. It also recommended the establishment of an Agricultural Bureau to give this leading branch of American industry the encouragement it deserved,—repeated the views of Taylor on the importance of the Pacific Railroad,—showed the necessity of an increase in the army, especially in the cavalry, consequent upon the increased importance of our Indian relations by the annexation of Texas and the acquisition of California and New Mexico,—recommended the enactment "of a law authorizing officers of the army and navy to be retired from the service when incompetent for its vigorous and active duties, taking care to make suitable provision for those who have faithfully served their country,"—and advocated the revision of the code for the navy, and the establishment of a discipline at once humane and effectual. Other matters and measures were alluded to, and the whole conceived in a spirit of harmony.

President Fillmore's proclamations on the rescue of the fugitive slave in Boston, February 15, 1851, and against the projects against Cuba, denounced both as violations of the law, warned the aiders and abettors of both, and called on all good citizens to discountenance and prevent such offences against the laws of the country.

In the second annual message the President reviewed the affairs of Cuba at some length, our Indian relations, and the leading topics, and recommended the appointment by law of a commission to revise the public statutes of the United States, which had been accumulating for sixty years; and again invoked the favorable consideration of Congress for the establishment of an Agricultural Bureau, which could not fail to be, in the lan

guage of Washington, "a very cheap instrument of immense national benefit."

The brief space elapsing between the close of the first session of the Thirty-Second Congress (August 31, 1852) and the opening of the second (December 6, 1852) was marked by no extraordinary political events, saving the election of Franklin Pierce to the Presidential succession and the death of Daniel Webster. The third annual message alluded to both in becoming terms. The North American fisheries and Cuban matters were prominent topics. The President thought the time auspicious for a reconsideration of the whole subject of the fisheries, with a view to placing them on a more liberal footing of reciprocal privilege. The differences between Great Britain and the United States on this matter were negotiated to an amicable settlement in the following year. Early in 1852 official overtures were made to induce the United States to become a party, with Great Britain and France, to a tripartite convention disclaiming, now and for all time, any intentions toward Cuba. The invitation was declined, and in this message President Fillmore said, "I have, however, in common with several of my predecessors, directed the ministers of France and England to be assured that the United States entertain no designs against Cuba, but that, on the contrary, I should regard its incorporation into the Union at the present time as fraught with peril," having, as it has, "a population of a different national stock, speaking a different language, and not likely to harmonize with the other members."

During the Administration of Fillmore, Kossuth received a national welcome from the United States. On the 31st of December, 1851, the Governor of Hungary was presented to the President by Secretary Webster and Senators Seward and Shields. Kossuth briefly expressed the gratitude of himself and associates, and in reply the President said,—

"I am happy, Governor Kossuth, to welcome you to this land of freedom; and it gives me pleasure to congratulate you upon your release from a long confinement in Turkey, and your safe arrival here. As an individual, I sympathize deeply with you in your brave struggle for the independence and freedom of your native land. The American people can never be indifferent to such a contest, but our policy as a nation, in this respect, has been uniform from the commencement of our Government; and my own views, as the chief executive magistrate of this na-

tion, are fully and freely expressed in my recent message to Congress, to which you have been pleased to allude. They are the same whether speaking to Congress here or to the nations of Europe. Should your country be restored to independence and freedom, I should then wish you, as the greatest blessing you could enjoy, a restoration to your native land; but, should that never happen, I can only repeat my welcome to you and your companions here, and pray that God's blessing may rest upon you wherever your lot may be cast."

The most memorable event during this Administration was the passage of the famous Compromise measures.* Placed in the minority with regard to its influence in Congress, the Administration of Mr. Fillmore was—says an impartial writer—necessarily negative in its character, with the exception of the passage of the Compromise measures relative to slavery, and the boundaries on the Mexican frontier and between Texas and the adjacent Territories, and the partial restoration of a system of improvement of harbors and rivers, bills for which had been vetoed by Democratic Presidents. But the intentions and actions of Mr. Fillmore were regarded as honest and statesmanlike by men of both the leading parties; and during his administration of the Government the country advanced in prosperity and strength, and he retired to private life honored and respected by his countrymen.† It must be remembered, also, that Fillmore's Administration projected and sent out the famous Japan Expedition under Commodore Perry.

His term of office expired on the 4th of March, 1853. He made quite a long tour throughout the South, and received a hearty welcome. Addressing a most enthusiastic meeting at Vicksburg on the 24th of March, 1854, and alluding to that locality as being the heart of the Republic, he said, "that is, with its present limits; for Canada is knocking for admission and Mexico would be glad to come in, and, without saying whether it would be right or wrong, we stand with open arms to receive them, for it is the manifest destiny of this Government to embrace the whole North American continent." In 1855, Mr. Fillmore went to Europe, and was the recipient of the most

* Alluded to at length under the head of "Douglas," p. 223.

† "The Statesman's Manual, &c. &c., from Official Sources," by Edwin Williams and Benson J. Lossing. New York, 1858. Vol. iii.

marked attentions. He embarked for home in the summer of the following year, and arrived at New York on June 21, 1856, when the city authorities and a large assemblage of public and private friends received him. In the mean time Mr. Fillmore had been nominated for the Presidency.

The American or "Know-Nothing" party had been growing in importance and strength, and determined to offer a candidate on its principles. In June, 1855, "The Council of the American Order," by a section of its platform then adopted, deprecated all further action on the subject of slavery. On the 18th of February, 1856, a national convention of the American party was held in Philadelphia. It was called "a special session of the Council of the American Order," and its principal object was the consideration of a national platform. It was here proposed to strike out the section of June, 1855, alluded to, as "it was neither proposed by the South nor accepted by the North." This motion created much debate and met with considerable opposition from the Southern delegates. The result was the construction of an entirely new platform, embracing sixteen articles, and adopted by a vote of 108 to 77. The leading features, outside of the anti-foreign elements, were the sixth and twelfth articles; the former of which repudiated the expediency of Congressional interference with questions appertaining solely to the individual States, and deprecated the intervention of one State with the affairs of any other State; and the latter of which (the twelfth) approved of all laws and their maintenance until they were repealed or declared null and void by competent judicial authority. These articles were a virtual recognition of the principles of the Kansas-Nebraska Act and the Fugitive-Slave Law.

Upon this platform Millard Fillmore was nominated for the Presidency by the National Nominating Convention of the American party, which met on the 22d of February, immediately after the adjournment of the Council. On a formal ballot taken on the 25th of February, out of 243 votes cast, Millard Fillmore received 179, and George Law, 24. The former accepted the nomination in a letter dated Paris, May 21.

In the election which followed, the nominee of the Democratic party, James Buchanan, of Pennsylvania, was elevated to the Presidential dignity.

JOHN CHARLES FRÉMONT,

OF CALIFORNIA.

JOHN CHARLES FRÉMONT was born at Savannah, in the State of Georgia, on the 21st of January, 1813. His father, a native of Lyons, left France in the year 1798, intending to emigrate to San Domingo, but the vessel in which he was a passenger was captured by an English cruiser when near her destination, and taken into one of the British West Indies. After some years he reached Norfolk, Virginia, where, to maintain himself, he became a teacher of the French language. Here he became acquainted with and married the future mother of Colonel Frémont, Anne Beverly, daughter of Colonel Thomas Whiting, of Gloucester County, Virginia.*

Colonel Whiting died while his daughter Anne was quite young, leaving her and her estate to the care of relatives, who first made away with most of her property, and then married her off, at the age of seventeen, to Major Pryor, a rich and gouty Revolutionary veteran, forty-five years her senior. The union proved unhappy: the parties were divorced, and shortly afterward found themselves more congenial helpmates,—the lady in the young and accomplished but penniless Frenchman, and the veteran major in his housekeeper. Mr. Frémont died in 1818. The widow declined the invitation of his brother Francis to go with him to France, and removed, with the remnant of her estate and three children, one daughter and two sons, to Charleston, South Carolina, where she resided till her death in 1847.

The resolute character and vigorous intellect of her son John were soon manifested, and have been commemorated by Dr.

* Colonel Whiting held high official positions both under the Royal Colonial Government and the Commonwealth, was possessed of large wealth, and nearly related to General Washington. Vide Sparks's "Washington," vol. i. 548; ib. v. 268; ib. vi. 296.

Robertson, at whose classical school he was entered when about fifteen years old, in the preface to his interlinear translation of Xenophon's "Anabasis," published in 1850. The design mentioned by Dr. Robertson of educating Frémont for the ministry of the Protestant Episcopal Church was natural to the pious mother of a thoughtful and earnest youth, who at the age of sixteen had become a communicant of that Church. Though constant to the belief taught him by his mother, having had all his own children baptized in the Episcopal Church, and while he has grown even more earnest and thoughtful as life advanced, yet, as his character developed, it became apparent that nature formed him for a man of action.

From 1830 to 1833 he was employed as an instructor of mathematics in the "Apprentices' Library," an evening school, in other schools at Charleston, and as a practical surveyor. Through Mr. Poinsett's influence, he obtained, in 1833, the appointment of teacher of mathematics on board the United States sloop-of-war *Natchez*, and made in her a cruise of two and a half years' duration. On his return, he was appointed professor of mathematics in the navy, and ordered to the frigate *Independence*; but he declined the appointment. His tastes and acquirements led him to seek employment as an engineer, and he made his first essay in this character in an examination of the railway-line between Augusta and Charleston.*

Afterward, and until the fall of 1837, he was employed as an assistant engineer, under General W. G. McNeill and Captain G. W. Williams, in making a preliminary survey for a railway between Charleston and Cincinnati.

The exploration of the mountain-passes between South Carolina and Tennessee was the part of the line in which Frémont was engaged. The winter he spent with Captain Williams in making a military reconnoissance of the mountainous country in the States of Georgia, North Carolina, and Tennessee. In the spring he accompanied Nicollet to the Upper Mississippi, was

* It is noteworthy that, when Colonel Frémont was made the scapegoat in the controversy between the army and navy relative to the command in California, and dismissed the service by an army court-martial in 1848, he was offered the presidency of this road, with a salary of five thousand dollars per annum.

with him as his principal assistant in the exploration of that year and also in that of the year succeeding, and was afterward employed, under Nicollet and Hassler, then head of the Coast Survey, in the preparation of the map and report of the exploration. While absent on this expedition, he was appointed, on the 7th of February, 1838, second lieutenant in the corps of Topographical Engineers.

Nicollet and Hassler were votaries of science, and recognised by the learned world as benefactors whom the places had sought; and the reader can readily conceive the effect of familiar intercourse with them upon such a mind as Frémont's. It stimulated him to embrace the whole field of science in his labors; and the rapidity with which he mastered the various branches, and the respect with which his learned associates received his suggestions, inspired him with confidence in himself.

Before Nicollet's maps and report were entirely completed, Frémont was unexpectedly ordered to explore the river Des Moines, after the execution of which, in the summer of 1841, he returned to Washington, and on the 14th of October married Jessie, the daughter of Thomas H. Benton, to whom he had been engaged for some years. The marriage had been deferred till the consent of Colonel and Mrs. Benton could be obtained. The objection to the match was only the youth of the lady, she being but fifteen years old when the engagement took place. Colonel Benton fully appreciated the character and talents of his son-in-law, and wisely followed the dictates of his heart in pardoning the impatience of the lovers and inviting them to make his home their home.

Benton and Frémont were very unlike in many respects; but in the great design of exploring the Far West to facilitate its settlement and open communication with the Pacific, which Frémont had conceived while associated with Nicolet, he could have found no one more able or willing to cheer him on than Benton, to whose intimacy and affection his marriage had introduced him. As early as 1819, Colonel Benton had endeavored to fix public attention on Jefferson's policy of opening communication with the Pacific across the continent, in furtherance of which Jefferson had fitted out the expedition of Lewis and Clarke in 1802. As the first step in surveying the regions between the

Missouri frontier and the Pacific, Frémont applied for and obtained an order in 1842 to explore the frontier as far as the Wind River peak of the Rocky Mountains, which he executed before the 1st of November. It is impossible here to follow the details of that expedition, and it is scarcely necessary to reproduce a narrative which has been republished in so many forms at home and abroad. The report was eulogized by Humboldt in his "Aspects of Nature," and the London "Athenæum" contrasted it favorably with British explorations and pronounced it a model production. Some incidents, however, which serve to mark Frémont's personal character and show how he obtained ascendancy over the hardy mountain-men and the savage tribes, will be briefly related. When Frémont arrived at Fort Laramie, he learned that eight or ten of the Cheyennes and Sioux warriors had been killed by the whites in a recent engagement, and that the Indians were consequently much exasperated. Much alarm prevailed among his men, and even Bridger and Carson, and others whom nothing could daunt, thought some sharp encounters inevitable. Carson even made his will,—which created a panic among the men; and a number of them asked to be discharged. It was feared that danger hung over Frémont's party if he proceeded. The chiefs at Fort Platte, assembled in council, formally warned him not to set out before their young men returned, and finally announced to him that they would detain him. Frémont asked some of their people to accompany him to prevent the collision, but, being refused, became satisfied that the object was to prevent him from going farther into the country. He believed the danger was exaggerated, and told his men so, but, as there was some danger in the service, he was unwilling to take with him any man upon whom he could not rely, and offered to discharge any man who wished to remain. Only one man accepted this offer; and so he started. They had journeyed but a week when a more formidable obstacle presented itself in the scarcity of provisions. The drought and the grasshoppers had destroyed the grass, and not a buffalo was to be seen. Bissonette, the interpreter, advised Frémont to return. Frémont again told his men that he would discharge all who wished to return, but that it was his purpose to go on. Not a man flinched. "We'll eat the mules," said Basil Lajeunesse; "and

thereupon," says Frémont, "we shook hands with our interpreter and his Indians, and departed."

A thrilling incident is told by Dr. Peters in his recently-published and interesting life of Kit Carson, which, though it occurred in 1846, after the men were killed in Frémont's camp on Lake Klamath, may also be properly introduced in this connection. Determined to inspire the Indians with a salutary fear of Americans in future, Frémont pursued them, killed great numbers, and burned their village. There Carson had a narrow escape in an encounter with an Indian. "On arriving within about ten feet of the warrior," Dr. Peters says, "he drew up his horse and brought his rifle to his shoulder to fire, but the gun only snapped, and left its owner in a very precarious situation, as the red man had already drawn the string of his bow to plant an arrow in the body of his adversary. A moment more, and in all probability Kit Carson would have been breathing his last. Frémont saw the danger his friend was in, although Kit had tried to avoid the arrow by throwing himself on one side of his horse. With much forethought as well as personal exposure, Frémont plunged the rowels of his spurs deep into his horse. The horse started, and the rider knocked down and passed over the Indian, thereby causing his arrow to fly in a different direction from the one intended.

"Kit Carson was and is still very grateful to Frémont for thus interposing between him and almost certain death. In all his expeditions he had such command over his employees that little or no trouble ever occurred while on the marches, although they had privations and dangers to undergo sufficient to test the spirit and obedience of any men."

On the 15th of August, Frémont clambered to the top of the loftiest peak of the Rocky Mountains, since known as Frémont's Peak, and planted the stars and stripes upon it.

Early in the ensuing spring of 1843, having completed and published the map and report of the first expedition during the winter, Frémont organized and set out on his second expedition, from which he did not return till August, 1844. In this expedition his object was, first, to complete the survey of the line of communication between the State of Missouri and the tidewater region of the Columbia, which, though it had been traversed

before, had not been examined and mapped by geographers, or its characteristics made known by a man of science; and, second, to explore the vast region to the south of the Columbia, the whole western slope of the Rocky Mountains,—a territory of which so little was known that on the existing maps the river Buena Ventura was laid down as traversing the whole distance from the mountains to the Bay of San Francisco, when, in fact, no river of that character existed at all, and the river of that name was but a small stream emptying into the Bay of Monterey.

He set out from the town of Kansas on the 29th of May, and came in sight of Salt Lake on the 6th of September. Eight months afterward, he reached Utah Lake, the southern limb of the Great Salt Lake, having completed the immense circuit of twelve degrees diameter north and south and ten degrees east and west. He had in that time travelled three thousand five hundred miles, and had a view of Oregon and of California from the Rocky Mountains to the Pacific, and of the principal streams which form harbors on that coast. The fortitude with which he and his comrades met the hardships and dangers encountered on this vast circuit has not been surpassed in the annals of human adventure. In the map and report of this expedition which he prepared and published on his return, the Great Salt Lake, the Utah Lake, the Little Salt Lake, the Klamath Lake, the Sierra Nevada, the valleys of the Sacramento and San Joaquin, the Great Basin, the Three Parks,—most of which were then unknown desert regions, now the homes of multitudes of rich and prosperous people,—were revealed to the world.

Frémont was rewarded for this service in January, 1845, on the recommendation of General Scott, by being brevetted as first lieutenant and captain.

Frémont set out on his third expedition in the spring of 1845, and reached California in December, having crossed the Great Basin from the southern extremity of the Great Salt Lake. Knowing that the relations between Mexico and the United States were critical, he left his party on the frontier and went alone to Monterey to obtain permission from the authorities of the province to go to the valley of the San Joaquin to recruit.

"The leave was granted," says Secretary Marcy, in his report of December 5, 1846, "but scarcely had he reached the desired spot for refreshment and repose before he received information from the Ameri-

can settlements, and by expresses from our consul at Monterey, that General Castro was preparing to attack him with a comparatively large force of artillery, cavalry, and infantry, upon the pretext that, under the cover of a scientific mission, he was exciting the American settlers to revolt. In view of this danger, and to be in a condition to repel an attack, he then took a position on a mountain overlooking Monterey at a distance of about thirty miles, intrenched it, raised the flag of the United States, and with his own men, sixty-two in number, awaited the approach of the commandant-general.

“ From the 7th to the 10th of March, Colonel Frémont and his little band maintained this position. General Castro did not approach within attacking distance, and Colonel Frémont, adhering to his plan of avoiding all collisions, and determined neither to compromise his Government nor the American settlers, ready to join him at any hazards if he had been attacked, abandoned his position, and commenced his march for Oregon, intending by that route to return to the United States. Deeming all danger from the Mexicans to be past, he yielded to the wishes of some of his men who desired to remain in the country, discharged them from his service, and refused to receive others in their stead, so cautious was he to avoid doing any thing which would compromise the American settlers or give even a color of offence to the Mexican authorities. He pursued his march slowly and leisurely, as the state of his men and horses required, until the middle of May, and had reached the northern shore of the great Klamath Lake, within the limits of Oregon Territory, when he found his further progress in that direction obstructed by impassable snowy mountains and hostile Indians, who, having been excited against him by General Castro, had killed and wounded four of his men, and left him no repose either in camp or on his march. At the same time, information reached him that General Castro, in addition to his Indian allies, was advancing in person against him, with artillery and cavalry, at the head of four or five hundred men; that they were passing around the head of the Bay of San Francisco to a rendezvous on the north side of it; and that the American settlers in the valley of the Sacramento were comprehended in the scheme of destruction meditated against his own party.

“ Under these circumstances, he determined to turn upon his Mexican pursuers, and seek safety both for his own party and the American settlers not merely in the defeat of Castro, but in the total overthrow of the Mexican authority in California, and the establishment of an independent government in that extensive department. It was on the 6th of June, and before the commencement of the war between the United States and Mexico could have there been known, that this resolution was taken; and by the 5th of July it was carried into effect by a series of rapid attacks by a small body of adventurous men, under the conduct of an intrepid leader, quick to perceive and able to direct the proper measures for accomplishing such a daring enterprise.”

The Secretary then enters into the details of Frémont's movements,—the raising of the flag of the United States by him and his followers on hearing of the capture of Monterey by Commodore Sloat,—his arrival with one hundred and sixty men at Monterey,—the pursuit of the enemy by Commodore Stockton, with a force composed of Frémont and his men and a detachment of marines,—the capture of Los Angeles,—and the entire subjection of the country,—and, in conclusion, says, "Thus, in the short space of sixty days from the first decisive movement, this conquest was achieved by a small body of men to an extent beyond their own expectations, for the Mexican authorities proclaimed it a conquest, not merely of the northern part, but of the whole province of the Californias."

Frémont left Los Angeles in September for the Sacramento. In his absence an extensive insurrection broke out in Southern California. He immediately set about raising a battalion among the settlers on the Sacramento to suppress it, and several hundred had joined him, when a report came that the northern Indians had become hostile, and that about a thousand of them were invading the settlements. He went immediately to the Indians, taking but three men with him, and not only pacified them, but recruited his battalion from their warriors.

Frémont arrived at San Francisco in October, and sailed for Santa Barbara, but, hearing on his way that he could procure no horses there, he proceeded to Monterey, and there made preparations for a winter march. The insurgents had defeated four hundred sailors and marines marching on Los Angeles. That place and Santa Barbara were in their hands. Colonel Frémont started with four hundred men on a dark night, surprised San Luis Obispo, an important place, and captured Don Jesus Pico, the leader of the insurgents in that quarter. Two days afterward, on the 16th of December, Pico was tried by a court-martial and condemned to be shot for violating his parole. An hour before the execution was to take place, the mother, wife, children, and relations of the condemned came weeping before Frémont, and with natural fervor begged for mercy. He was affected, and wisely, as the result proved, yielded to their entreaties. Pico, who had hitherto been calm and defiant, now prostrated himself before Frémont, clasped his knees, and vowed

eternal fidelity. He was true to his pledge. This clemency toward a member of the most influential family in the province contributed greatly to conciliate the people. Frémont met no resistance afterward. On the 27th of December he entered Santa Barbara, and resumed his march on the 3d of January.

Stockton had defeated the insurgents in an engagement, and re-entered Los Angeles. On the 11th, Frémont learned that they were then within a short distance of him, and next day two of their officers came to his camp to treat for peace, and the "Capitulation of Cowenga" was made. He granted them liberal terms, and they agreed to return to their homes and aid in keeping the country quiet. This was done; and thus ended the war in California.

When Frémont reached Los Angeles, on the 14th of January, 1847, he found General Kearney there, contending with Commodore Stockton for the right to command. Both, it appeared, had received instructions to conquer California and establish a civil government. But Kearney knew of the conquest by Stockton and Frémont, and of the existence of civil government there, before he left New Mexico, from Carson, on his way to Washington with the information. Nevertheless, he turned Carson back to guide him and a small escort to California, where he arrived in the midst of the insurrection.

Attempting to surprise a party of the insurgents at San Pasqual, he was defeated, had thirty-three of his officers and men killed and wounded, and his entire party would have been cut off but for the timely assistance sent him by Stockton, which brought him and the remnant of his party safely into San Diego. Stockton then offered the command to Kearney, not because he thought him entitled to it, but because he thought him better fitted than himself for the land-service. Kearney refused to accept it, but offered to serve under him, and accordingly did serve as his subordinate in the action which followed. Quiet being restored by the capitulation, he claimed that the government should be turned over to him by Stockton, and required Frémont to recognise his authority.

Frémont had been appointed lieutenant-colonel of the rifle-regiment by the President, and had received his commission in October; but the California battalion had been previously organ-

ized under Stockton's authority, and was not composed of enlisted soldiers, but of mountain-men, Californians, and Indians, and partly commanded by officers of the navy; and therefore, though friendly with Kearney, he thought it not right to turn over to him troops thus called into action by naval authority, and refused to do so.

Stockton had appointed Frémont Governor, to take effect when he left the country.

Thinking Frémont's refusal to recognise his authority proceeded from a desire to retain this appointment, Kearney sought an interview, in which he assumed a most friendly tone, advising him, as an old soldier and as an old friend of Benton, to recall his decision, and concluded by saying that he designed leaving the country himself in forty days, and intended to devolve the government on him. But Frémont was accessible to no such suggestion, and adhered to Stockton. This drew upon him the enmity of Kearney and the army-officers generally, who were predisposed to regard him unfavorably because his was a citizen appointment.

Instructions came in the spring to Stockton, directing him to relinquish the government to General Kearney,—which terminated the controversy.

Kearney, being now vested with authority, undertook to avail himself of it to mortify and humble Frémont.* He refused him permission to join General Taylor in Mexico, and, on the 14th of June, ordered him to attend him to Missouri, where they arrived on the 22d of August. He treated him with deliberate disrespect all the way, placed him under arrest on his arrival, and ordered him to report himself to the adjutant-general at Washington. Frémont's enemies had filled the newspapers with every species of slander against him; but the citizens of St. Louis, to whom he and his bold companions were known, hailed his arrival with enthusiasm. The citizens of Charleston, also, testified their admiration by presenting him a beautiful sword. He declined the public reception and festival offered him at St. Louis, and hurried to Washington to have the charges preferred against him by General Kearney investigated,—not sup-

* For particulars, see Bigelow's "Life of Frémont," p. 204.

posing that an army court could be impartial between a general and a commodore, (which was the real controversy,) but anxious to go before any tribunal by which the facts could be brought authentically before the country.

The court found him guilty of "mutiny," "disobedience of lawful orders," and "conduct to the prejudice of good order and military discipline," and sentenced him to be dismissed. A majority of the court, however, joined in a recommendation of clemency to the Executive.

The President disapproved the finding on the charge of mutiny, and approved it as respected the remaining charges, but remitted the penalty.

Frémont would not hold a commission on such terms, and therefore promptly resigned it. The investigation was protracted till the 15th of May, 1848; and the testimony extended to every transaction connected with the conquest of California. But nothing was elicited to impeach the integrity and good faith with which the accused had acted throughout. General Brooke, the then president, and two others of the court, said the question was one "well calculated to excite the doubts of officers of more experience than the accused." The action of the court was attributed by Commodore Stockton (see his Life, p. 154) to the *esprit du corps* of the army. The motive of the President and Secretary of War in bringing Frémont to trial, and sustaining the proceeding of the court, after, as Stockton says, having approved his appointment of him as civil Governor, is attributed to the political aspects of the day, and the position occupied by Benton and Frémont in reference to them.

Since the conquest of California by "*the intrepid leader, quick to perceive and able to direct the proper measures for accomplishing the daring enterprise,*" as described in the official report of Governor Marcy, above quoted, Mr. Calhoun had imposed on the Administration and party the dogma that slavery could not be excluded from the Territories. Benton and Frémont had given effective support to the Administration in the Senate and in the field; but this counted for nothing without conformity to the new dogma. Benton had vehemently denounced Calhoun's firebrand resolutions—as he called them—on their first introduction into the Senate, on the 19th of February, 1847.

Frémont had been the *protégé* of Poinsett and was the son-in-law of Benton, had exemplified his political principles and forecast and won a world-wide reputation by his devotion to an idea which the "slave-power" was at no loss to perceive involved its destruction. It was the antagonism to Benton and Frémont with which the Administration had been thus imbued which tolerated Kearney's violation of orders in dragging Frémont across the continent, to be tried and turned out of the army for what it had lauded both Stockton and Frémont for doing.

These transactions only served to inflame Frémont against the doctrines of the South. The development of the West, and the creation there of an overshadowing power, appeared to him to be the surest means to preserve the Government from their influence. The Pacific Road, which would rapidly accomplish this and thus be a perpetual bond of union, was the measure for which he had toiled, and the circumstances of the times seemed to demand of him new efforts to demonstrate the practicability of constructing it. Having exerted himself with success to procure from Congress some compensation for the California battalion and for those whose property had been applied to the conquest, he devoted all the money he could command to equip himself for a winter expedition across the mountains, to disabuse the public mind of the impression which the disunionists had labored to create,—that the snow, as well as the precipitous character of the central route, rendered it impracticable. It was a disastrous expedition. He aimed to go from the waters of the Rio Grande to those of the Colorado, through the Cochatopee Pass; but his guide mistook the way, and led him into mountains 12,000 feet above the sea, where he encountered a most terrific snow-storm. All the animals and many of his men perished; and the latter would have all been lost, but that he went himself and brought them relief.

The expedition, though disastrous to him, verified the existence of the pass and the practicability of the route. On reaching California, he made his home there, upon a large tract of land known as the Mariposas, situated about two hundred miles southwest from San Francisco, at the foot of the Sierra Nevada, which he had purchased for \$3000, in 1847, of Governor Alvarado. Before he arrived, he learned that gold had been discovered to

abound on it; and he engaged and took with him some men to dig the gold. Mrs. Frémont joined him in June, and he went to work with energy. He was not permitted to remain long thus profitably and agreeably occupied.

Having warmly advocated the exclusion of slavery from the State, and being identified in the minds of the pioneer settlers and native Californians with all their great interests, they turned to him with great unanimity to represent the State in the Senate of the United States; and he was, accordingly, the first Senator chosen by the Legislature, in December, 1849.

He proceeded immediately to Washington; but the protracted struggle upon the admission of the State prevented him from occupying his seat save only for a few weeks. He offered, immediately, a series of measures comprehending all the legislation required for California; among them were bills to open a road across the continent, to donate lands to settlers, to settle land titles, to grant lands to the State for purposes of education, to regulate working the mines, and to preserve peace among the Indians. Of the two latter, which alone could be got before the Senate at so late a period of the session, he gave admirable expositions, presenting, with remarkable brevity, most of the practical, historical, and legal considerations pertinent to each subject; unfortunately, he was disabled from pressing his measures at the next session by an attack of the Panama fever, which prevented him from taking his seat; and he had drawn the short term, which ended March 3, 1851.

He was not returned at the ensuing election. But Frémont, and the party which warmly supported him for re-election, have been strong enough, so far, in spite of the ascendancy of their adversaries, to defeat the great measure in the programme of Nullification,—the project to divide the State and establish slavery in the Southern division.

The acts of Congress purporting to settle land titles in California required every claimant to sue himself before Commissioners, before the courts of the United States in California, and before the Supreme Court of the United States, *if* the Attorney-General required it, before he could have his land. The object of conferring this vast power over individual rights upon the

Executive, by the Southern men, was to command the fealty of the claimants.

The Mariposas Grant was unquestionable. It had been made to Alvarado, a former Governor of the Province, for distinguished services, and Frémont acquired it from him, in 1847, for what was then regarded as a full price. But, not satisfied with compelling Frémont to prosecute his claim to the Mariposas through all the courts, and opposing him there by every means which zeal and industry could suggest, the Attorney-General, Mr. Cushing, "stimulated to vindictiveness by the intense hatred with which the slave-power regarded Frémont, attempted to take a second appeal to the Supreme Court, and caused the patent to be withheld, even after that court had rebuked him for the attempt." Frémont finally came to Washington himself, and Cushing yielded the patent.

Soon after the discovery of its mineral wealth, and before it had passed the ordeal of the courts, a London company, of ample means, offered Colonel Benton, who was acting as Frémont's agent, \$1,000,000 for his title; and on their depositing the first payment, \$100,000, Colonel Benton strenuously advised Frémont to accept the offer.

He refused to sell, and went to Europe, in 1852, to negotiate for means to work the mines. While there, his military and scientific reputation secured him the most flattering attentions from the Queen of England, the Emperor of France, great numbers of distinguished military and scientific men, and learned societies. He had before been elected an honorary member of the Geographical Society of Berlin, had received the "Founders' Medal" from that of London, and "the Great Golden Medal" from the King of Prussia, by the hands of Humboldt.

Frémont returned to the United States in June, 1853, to complete the survey of the direct line for the Pacific Road to San Francisco, from the point at which he left it in the winter of 1848-49, and set out on this second survey at his own expense, in August, 1853.

This also was a winter expedition, and in weather of unusual severity; but it was the crowning success of all his explorations. He found safe and easy passes through a fine country, all the way between the thirty-eighth and thirty-ninth parallels of lati-

tude to San Francisco; and the pictures taken of the passes by a daguerrean artist, carried along for the purpose, confirm his narrative and instrumental observations, and are almost of themselves sufficient to expose the positions of the adversaries of the road.

A complete and beautifully-illustrated account of all of Colonel Frémont's expeditions has been for some time in preparation, and will be published by Childs & Peterson, of Philadelphia, during the year 1860. The résumé of the first and second expeditions will be prepared by Hon. George S. Hillard. The scientific portion of the work will contain articles from the pens of Professors Torrey, Blake, Cassin, and Hubbard, compiled from material furnished by Colonel Frémont. In the prospectus of the publishers, it is stated that

"The work is being prepared with great care by Colonel J. C. Frémont, and will contain a résumé of the First and Second Expeditions in the years 1842, '43, and '44, and a detailed account of the Third Expedition during the years 1845, '46, and '47, across the Rocky Mountains through Oregon into California, covering the conquest and settlement of that country; the Fourth Expedition, of 1848-49, up the Kansas and Arkansas Rivers into the Rocky Mountains of Mexico, down the Del Norte, through Sonora into California; the Fifth Expedition, of 1853 and '54, across the Rocky Mountains at the heads of the Arkansas and Colorado Rivers, through the Mormon settlements and the Great Basin into California. The whole will embrace a period of ten years passed among the wilds of America."

Though decided and ardent in his political sympathies, and of unceasing activity respecting the measures which a large forecast taught him were most effectual to work out his policy, he took little part in the public discussion of current political topics; and it was not until the outrages in Kansas called for a man of courage and judgment that the politicians thought of him for the Presidency. His private letter of counsel to Governor Robinson, of Kansas, urging him to a cautious but resolute resistance, and cheering him by the expression of his own sympathy and determination to support him,—believing that, in the end, the nation would also sustain him,—fixed the attention of the Republican party on him as a suitable person for the Presidency.

In April, 1856, he was waited on by a committee from a political meeting in New York, to obtain an expression of sentiment

on the question of the day. In his brief and prompt reply, written at the moment in a public room amid a crowd, he said,—

“I heartily concur in all movements which have for their object to repair the mischief arising from the violation of good faith in the repeal of the Missouri Compromise. I am opposed to slavery in the abstract and open principle, sustained and made habitual by long-settled convictions. While I feel inflexible in the belief that it ought not to be interfered with where it exists under the shield of State sovereignty, I am as inflexibly opposed to its extension on this continent beyond its present limits.”

The Republican National Convention, which assembled at Philadelphia on the 17th of June, 1856, nominated him unanimously for the Presidency, it being ascertained informally that he was preferred by more than two-thirds of the body. William L. Dayton was nominated for the Vice-Presidency.

The platform adopted by the convention asserts the settled principles of the Republican party founded by Jefferson; denounces the crimes committed by those controlling the Government to establish slavery in Kansas; maintains the power, and deems it the duty, of the Government to exclude slavery from the Territories; declares the Ostend Circular infamous; and favors the construction of the Pacific Railroad. In his reply to the committee notifying him of his nomination, after saying that the resolutions of the convention express the sentiments in which he had been educated, and which have ripened into convictions by personal observation and experience, he remarks more particularly upon the two forms of abuse of the Government by the slave-power, then engaging public attention,—one, the seizure of Cuba, proposed in the Ostend Circular; the other, the seizure of Kansas,—and deprecates both in the strongest terms. The characteristic feature in the letter, and that which marks it as the production of an efficient leader, is that it points to the means by which the victory may be won and its advantages secured,—telling his partisans how to bring home to the people, whose suffrages were sought, *their interest* in the contest.

“The great body of the non-slaveholding freemen, including those of the South,” he says, “upon whose welfare slavery is an oppression, will discover that the power of the General Government over the public lands may be beneficially exerted to advance their interests and secure their independence. Knowing this, their suffrages will not be wanting to maintain that authority in the Union which is absolutely essential to the

maintenance of their own liberties, and which has more than once indicated the purpose of disposing of the public lands in such a way as would make every settler a freeholder." Lands for the landless was his battle-cry.

The Republicans were defeated in the Presidential election of 1856 by the October election in Philadelphia. It was conceded that the success of the Union State ticket in Pennsylvania would be decisive of the Presidential contest in November, and scarcely a doubt was entertained of its success.

Frémont's friends say that "at the last moment a bargain was made between the Fillmore organization and the Democratic managers, and 15,000 naturalization-papers were forged."

Colonel Frémont has been closely occupied of late years with the management of the Mariposas estate. After suffering much from intrusting its management to others, he determined to be his own manager.

"In the spirit of that determination," says Mr. Greeley, writing from San Francisco, after a recent visit to Colonel Frémont, "he has lived and labored, rising with the lark, and striving to obtain a complete knowledge and mastery of the entire business; taking more and more labor and responsibility on his own shoulders, as he felt himself able to bear it, until he is now Manager, Chief Engineer, Cashier, Accountant, and at the head of every other department but that of Law, for which he still finds it necessary to rely on professional aid. And his mines are at length becoming productive and profitable. His first (steam) mill, near his dwelling, runs eight stamps night and day; his second (water) mill, three miles distant, on the Merced, at the north end of his estate, runs twelve stamps, also constantly; and the two are producing gold at the rate of at least \$250,000 per annum, at an absolute cost, I am confident, of not more than \$150,000. Of course, he needs all the profits, if not more, to extend and perfect his works, having already a much larger water-mill nearly ready to go into operation, besides that on the Merced, in which he expects, I believe, to run fifty-six stamps; and he hopes to have one hundred in all running before the close of 1860. With that number I believe he would be able, by giving his constant personal attention to the business, aided by faithful and capable assistants, to realize a net profit of \$10,000 per week, which would very soon clear him of debt, and leave him unencumbered in the ownership of perhaps the finest mining-country in the world."

The latest mention of Frémont was the record of his having headed the subscription-list for a monument to the brave and lamented Senator Broderick with five hundred dollars.

JAMES GUTHRIE,

OF KENTUCKY.

JAMES GUTHRIE, Secretary of the Treasury in the Cabinet of President Pierce, was born near Bardstown, Nelson County, Kentucky, in the year 1795. Remotely, he has Scottish blood in his veins, but his more immediate ancestors emigrated to this country from Ireland. His father, General Adam Guthrie, was an early pioneer westward from Virginia. A man of energy and activity, he participated with distinction in the struggle with the Indians for the region now embracing six or seven States and as many millions of inhabitants. Among other fights, he was in the memorable battle of the Saline, fought some ten miles west of Shawneetown, Illinois, in which General William Hardin was seriously wounded. After the peace with the Indians, General Guthrie entered upon civil pursuits, and represented his county in the Kentucky Legislature for eight or ten years.

The son, James, was educated chiefly at Bardstown, in the academy presided over by a Scotchman named McAlister,—“by no means an ordinary man.”

When about twenty years old, he engaged in the enterprise—common in those days—of sending produce to New Orleans, and made two voyages on his own flatboats, returning home by land through the Indian country with the profits of his venture. Becoming dissatisfied with this business, he determined to embrace the profession of the law, which he did under the instruction of Judge Rowan, of Bardstown, one of the most high-toned gentlemen as well as profound and acute lawyers in Kentucky. Mr. Guthrie's manner of study is worthy of attention from the young candidate for distinction and fortune in these days. He studied as much daily as his physical capacity would admit; and, the more fully to discipline and perfect his mind, it was a regular practice with him, in reading reports, to carefully consider

the facts, weigh the arguments of counsel on both sides, and then, before looking at the decision, to write out one of his own.

At the end of two years he was admitted to the bar. Not being of a disposition to rest satisfied with the reputation to be gained in a provincial town, he removed in 1820 to Louisville, then, as now, the commercial capital of the State. It was not long before he "made his mark," and was appointed by the Governor prosecuting attorney for the county, the duties of which office he fulfilled with great zeal and ability. An incident will serve to illustrate his firmness of character about this period. Uncommonly slender in appearance,—he was what might have been called "a gawky young man." He had prosecuted a noted bully with such explicit force for some offence that, notwithstanding great ability on the opposite side, the jury convicted the culprit. Passing to dinner, after the adjournment, through the courtyard, in which, owing to a fall of rain, but a narrow pathway was left, he encountered the bully, armed with a bludgeon, who, raising it, thus accosted him:—"Mr. Guthrie, in your speech this morning you took the most unwarrantable liberties with my character, and now, sir, you have got to answer for it." To this Mr. Guthrie replied, "Why, look here, my friend; I got twenty dollars for convicting you: I don't think I should get a cent for putting you to death. Get out of my way." The fellow, either struck by the philosophy of the remark,—for vagabonds are generally shrewd philosophers,—or awed by Mr. Guthrie's undaunted eye, slunk away.

Of Mr. Guthrie's forensic history it is unnecessary to say much. He continued in the profession until he entered the Treasury Department. It is known to the whole country that he acquired great wealth. A large portion of it is unquestionably due to his great sagacity and sound judgment in his investments in property, for which, however, the profits of his profession furnished the original means. His success at the bar sprung from two causes: first, his remarkable legal acumen and sagacity, which were largely availed of in the adjustment of a vast proportion of the most occult and complex land and other causes in the State; secondly, the explicitness of his statements and the universal confidence in his veracity. In criminal cases, it was a common remark that the jury placed more reliance on Mr.

Guthrie's statement of the case than on that of the judge on the bench.

It was about this period, and while still a young man, that Mr. Guthrie had his noted difficulty with Hays. The latter was a member of the old Federal party, a man of brilliant talents, who looked with disfavor upon what he regarded as the presumption of young Guthrie in assuming a position of equality with himself and others of more experience and standing at the bar. Guthrie was not the man to brook intolerance or intimidation; and it is understood that, on an occasion of some public discussion, he, stung by what he deemed a combination to put him down, spoke with severity of the course and conduct of the ringleader, Mr. Hays. Nothing immediately occurred. A few days afterward, and when Mr. Guthrie supposed the offence, if any, had blown over, he was sitting on the steps of the Galt House, Louisville, one afternoon, in company with several other gentlemen, and amusing himself by whittling a stick. Happening to raise his eye, he perceived Hays, at the distance of about six or eight yards, advancing upon him with a pistol already cocked and pointed. Guthrie instantly sprang upon him with the vigor of a tiger, and received Hays's fire as he advanced, the ball passing through his right groin. Raising himself on his sound limb, he jerked the pistol out of Hays's hand, and was in the act of bringing it down upon his head with a force that would have killed him,—Hays crying "Murder!" all the time at the top of his voice,—when the gentlemen who had followed him from the steps arrested his arm and carried him back to the hotel. By this means, no doubt, the life of Hays was saved. Mr. Guthrie's wound proved to be one of the utmost severity. He was confined by it to his bed for years; and even now, having left a slight twist in his leg, it occasions some difficulty in his walk. The popular indignation drove Hays from the place. His fondness for the bottle increased, and in a fit of mania-potu he committed suicide by dashing his head against the wall.

For seven or eight years, dating from about 1821, party politics raged with great vehemence in Kentucky. The rival feelings were almost unexampled in their violence, and the reminiscences of the days of the "Old-Court" and "New-Court" parties are filled with animosities characteristic of a state of excitement

little short of civil war. This state of things grew out of what were called "relief measures" adopted by the Legislature,—stay and replevin laws, in connection with the State Bank and the reorganization of the Court of Appeals. Mr. Guthrie, though opposed on principle to any legislative interference between debtor and creditor, believed that the Legislature had the right and power to remodel its judicature, and so joined the New-Court party and was one of its ablest defenders. Of the relief measures, the Commonwealth's bank was perhaps the boldest experiment, and it was as successful as bold. Nothing else of the kind has ever been so successfully carried out in this country. Three millions of paper dollars were put into circulation without any metallic basis whatever, and with no capital except the public faith; and, after doing good service to the country, saving thousands of debtors from ruin, and materially aiding the Government of the State, the whole was in a few years called in, cancelled, and destroyed.*

From 1825 to the present, Mr. Guthrie has been a Jackson Democrat. He secured the State for the hero of New Orleans, and to his exertions is largely due the gallant front the Democrats of Kentucky have made, though almost constantly in the minority.

It may be further stated that he was elected for nine years successively from Louisville to the lower branch of the Legislature, and was six years in the Senate, at the end of which time he declined re-election. In 1851, he was elected president of the convention called to revise the Constitution of the State. In all these bodies he was an active member, giving the closest attention to the business of the committees, and a frequent and impressive debater. His inexhaustible fund of hard common sense—to use the language of the "New York Tribune"—was constantly at hand to shape and guide the legislative provisions for the welfare and prosperity of the State; and a general conviction of his probity and judgment on all occasions gave the utmost scope and weight to his opinions. Perhaps there are few men in the country who, considering the various measures which came

* "Eminent Americans, &c.," by John Livingston, of the New York Bar. Vol. iv. p. 23.

before these bodies while he was successively in them, have had a more extended or more practical experience than Mr. Guthrie in the business of a legislative assembly.

His first contest for the Senate with the celebrated Frank Johnson was one of the most remarkable in the annals of Kentucky. Mr. Clay was in the zenith of his influence. Mr. Guthrie had been an inflexible Democrat from his boyhood. Frank Johnson was an able and accomplished man, the intimate friend of Clay, and a prominent leader of the dominant party. It was well known that there was a Whig majority in the district of upward of fifteen hundred. Yet against these almost hopeless odds Mr. Guthrie, who is not easily intimidated, and who, say his friends, never fails in any thing he undertakes, entered the lists and beat his opponent. An incident of this contest is related which is too significant of the kindly traits of Mr. Guthrie's nature and of his sympathy with the people to be omitted.

It was the practice in that day, as it is now, in Kentucky, for rival candidates to meet each other in debate at different places in their district. It happened that Johnson and Guthrie had an appointment at a place about ten miles from Louisville. At a mile or so from this place a settler was at the time engaged in raising a barn, and, according to the usage of the country, his neighbors had collected to assist him. The day was warm, and the men, getting hold of an unusually heavy log and failing to lift it readily into its place, came to a stand-still. They began to consider whether they should not give up the job for the day and try the log when they were fresh next morning, when one of the party proposed that—as the rival candidates would soon be passing along home—the whole party should vote at the coming election for whichever of them who gave assistance, be he Whig or Democrat. It was agreed to. Mr. Johnson was the first candidate who arrived on the ground. He stopped his horse, spoke kindly to the men, inquired into their difficulty, advised them to rest satisfied for the present and come fresh to the work in the morning, and, reminding them that the election would take place on such a day, “when he expected to see all his friends,” passed on. After a while, Mr. Guthrie came along. He inquired into their difficulty, and heard the proposition to adjourn until the morning. “My friends,” said he, “my rule

is never to put off till to-morrow what can be done to-day ; and if one good strong back can do any good, here it is." Thereupon he tied his horse ; they all went to work and got the log in its place. This is perhaps the first and only attempt of Mr. Guthrie at log-rolling. It need scarcely be added that the whole crowd voted for him, and many others who heard the story.

One of the most remarkable features of Mr. Guthrie's character is his indomitable firmness and his invariable practice always to do, and not to be deterred therefrom by any personal considerations, what he deems just and right. Louisville was the political hotbed of the State, and party spirit then, as now, was tinged with the utmost asperity. The inflexibility of his Democracy as well as of his character made him always obnoxious to the dominant faction, and various were the schemes, since he could not be seduced or cajoled, to drive or put him out of the way. On one occasion, at an election of unusual heat, a combination of bullies was formed to put him to death if he attempted to deposit a vote or assist by his presence or authority his friends—including a large number of the foreign population—in their access to the polls. Mr. Guthrie was appealed to by his friends—first, to abstain from attending ; second, to allow them to arm in his defence. He declined both propositions, declaring that he would never surrender his rights as an American freeman but with his life, but that he would meet the danger alone, and would not, by permitting his friends to attend him, furnish a pretext for, or give occasion to, civil dissension and bloodshed. He armed himself with a pistol and deposited his vote. Being asked some time afterward by his friends what his calculations and reliance were in encountering so imminent a peril, he said he felt himself good for one man, at least,—the leader of the band ; and that he put his eye upon him on entering the crowd. Perceiving that his determination was known, and that the eye of the ringleader fell under his own, he felt himself safe. Another anecdote of his firmness, exerted not, as on a former occasion, in the maintenance of his dearest rights as a freeman, but in the ordinary execution of the laws, is worth relating.

An unprovoked murder had been committed upon a very worthy citizen of Louisville. The exasperation of the community

was so great as to lead to the conclusion that the murderer could not have a fair trial in Louisville, and a motion was made in the court to change the venue to a different county. The judge put the usual question, "Is the prisoner in court?" The sheriff answered, he was not. The judge then directed him to bring him in. The sheriff said that there was a furious populace of five thousand around the jail, for the purpose of tearing him to pieces the moment he was brought out. "If that is the case," said the judge, "summon the *posse comitatus*." "I have done so," said the sheriff; "and I cannot get a force sufficient for the purpose." Mr. Guthrie, sitting in court, raised his head, and said to the sheriff, "Summon me." They proceeded immediately to the jail; the man was brought out, and Mr. Guthrie, grasping him by the breast of his coat, carried him through the crowd,—his presence and bearing commanding their respect, and convincing them that it would cost them at least two lives to get the one they wanted.

While Mr. Guthrie was a member of the Kentucky Senate, he procured a charter for the Bank of Louisville, and perhaps others, and was a director in that bank until he left Louisville, in 1853. Giving to the affairs of that institution, both in general and detail, the strength of his mind and attention, he laid the foundation of that masterly knowledge of finance which he exhibited to the admiration and surprise of the country while at the head of the Treasury Department. In the same body he secured a charter for the University of Louisville, which, under his superintendence, was eminently successful, and yielded its appropriate fruits to many of the now most promising men in the Southwestern States. It may also be said that he is the founder of the railroad-system, and has uniformly given the weight of his influence and exertions to the improvement and development, first, of his own State, and then of the rest of the Union, in all their industrial resources.

The history of one of these railroads—the Nashville and Louisville, one hundred and eighty miles in length—is not a little remarkable. Charters from both States,—Kentucky and Tennessee,—legislative authority from both for the counties to subscribe through which the road passes, grants from both States, and individual subscriptions, were needed to start the work.

Mr. Guthrie, as president of the road, perfected all these arrangements, and secured subscriptions and grants to the amount of two millions, made the road about twenty miles, and, estimating that to complete it would cost from \$1,500,000 to \$2,000,000, executed a mortgage on the road, and entered into a contract with a leading banking-house in London to furnish the latter sum on bonds of the company secured by State mortgage. In this condition of the road, the finances were fully arranged; and, with the assured prospect of an early completion, Mr. Guthrie left Louisville to occupy the post of Secretary of the Treasury. Another distinguished gentleman of Kentucky was elected to succeed him as president of the road. By some accident the preparation of the bonds was delayed, and they did not reach England until after the day stipulated with the London bankers. The Eastern War was then impending, and these gentlemen, sharing the common apprehension in money-circles of the coming event, took advantage of the failure of the bonds at the appointed time to repudiate the contract. The result was that, after expending the amount subscribed, the road came to a dead lock. Various efforts were made to induce Mr. Guthrie to leave the Treasury and resume the management of the road. He said "No: he had been very handsomely invited to the Cabinet by President Pierce, and felt bound as a man of honor to remain with him to the end of his term." The road remained in this condition until the close of President Pierce's Administration. Upon his return to Louisville in the spring of 1857, Mr. Guthrie, although refusing to become president of the road, consented to act as a director, and as such has had the management of it, particularly of its finances. It will be recollected that in a month or two after his return home the convulsion of 1857 took place. To talk of selling a railroad-bond at that time, and particularly of a road not *completed*, would almost provoke derision; and yet, notwithstanding this state of things, Mr. Guthrie succeeded in obtaining money, from time to time, sufficient to complete the road,—and that, too, without getting a dollar from New York or Europe. These facts furnish a not inapt illustration of the remark respecting Mr. Guthrie already quoted, "that he never fails in what he undertakes."

The circumstances attending his appointment to the Treasury

Department must not be overlooked. It is believed that Mr. A. O. P. Nicholson, now United States Senator from Tennessee, first suggested to General Pierce the name of Mr. Guthrie, as the most prominent man in the circle of border slave States. It is known that many other persons from that region, and others passing through Kentucky, contributed to strengthen this predilection in favor of Mr. Guthrie. But, when General Pierce reached Washington, he was still uninformed in respect to Mr. Guthrie's opinions on some of the cardinal principles of the Democratic party,—such as Tariff, Internal Improvements, Currency, &c. He requested a mutual friend to write to Mr. Guthrie, asking his views on these subjects. The Kentuckian answered his friend, that all his opinions upon these and other national questions were to be found in the speeches he had made at different times in the Legislature and Convention of Kentucky; and desired him to refer General Pierce to them. The result is before the country. The President became satisfied that Mr. Guthrie cherished sentiments coincident with his own on all the great issues of the country, and gave him a prompt invitation to come to Washington.

In 1853 he was appointed Secretary of the Treasury. This, it will be remembered, writes a competent authority, was the era of the Gardner and Galphin claims, of the employment of *secret inspectors* of the customs and of unnecessary officers, of the use of the public funds by bankers and other favorites, and of general neglect, derangement, and delay in the business of the Treasury. In the four years during which he held the seals, a change that astonished the whole country took place. The money of the nation, amounting to some \$5,000,000, was taken out of the hands of the many irresponsible individuals who had shared its illegal use; and the Independent Treasury, with all its admirable safeguards and sanctions, was put fully and fairly into operation. The secret inspectors were dismissed; the unsettled accounts and balances, amounting, when he entered the Treasury, to the enormous sum of \$132,000,000, were reduced, at the end of four years, to \$24,000,000. Order, system, method, the vigorous despatch of business, without respect of persons, took the place of confusion and favoritism. During this period some noble vessels were added to our navy; the army was increased in

order to afford more ample protection to our extensive frontier; \$10,000,000 were paid to Mexico for the Mesilla Valley, and large sums invested in the construction of public edifices for the use of the Government at Washington, and the accommodation of branch mints, custom-houses, post-offices, &c., elsewhere. Yet, after all these extraordinary drafts upon the Treasury, Mr. Guthrie paid off \$40,000,000 of the public debt, besides the interest thereon, and premium on its purchase, and turned over to his successor, on the 3d of March, 1857, a balance of nearly \$20,000,000.

Such is a summary of Mr. Guthrie's material acts in the Treasury Department.

His annual reports, which, it is hoped, readers will examine for themselves, abound in sentiments of the noblest nationalism and the soundest statesmanship, and show that he understands our people and their interests thoroughly, and has a heart for both.

But the purpose of this sketch is not so much to exhibit the public acts of Mr. Guthrie on those points which are open to the people and can be known by them, as to show the interior working and cast of his mind. Mr. Guthrie is essentially a reformer. He was not content to administer the Treasury, but he was determined to correct the abuses of the Department, to scrutinize its recent transactions, to secure the rights of the Government where they had been sacrificed, and he introduced regulations and safeguards to protect the nation for the future; in other words, Mr. Guthrie served in the Treasury not so much for his ease or fame as for the common welfare of his country.

The change in the system of accounts is one of those reforms the benefits of which will probably last to all time. When he accepted the office, receiving and disbursing officers submitted their accounts for each quarter of the year, and were allowed an additional quarter in which to make up their accounts and transmit them to the Treasury. When they got to the Treasury, the accounting officers were occupied from three to six months, if not more, in settling such accounts. The result was that the transactions of these collecting and disbursing officers did not come under review of the controlling authority for approval or rebuke, in general, for more than a year.

The new Secretary's notion was the homely, hard-sense doc-

trine that short accounts make long friends; and, perhaps, of all the reforms he wrought in the Treasury, none was more difficult than the one he effected in this regard. He took "the bull by the horns,"—the largest of them all, the Collector of New York, whose accountability embraces thirty millions a year. He sent for Mr. Bronson, and talked the matter over with him; and, although that gentleman was startled at the proposition to make the settlements monthly, and believed it impracticable, referring to the ineffectual effort of a former Secretary of the Treasury to achieve the same object, to his credit be it spoken, he admitted the great advantage that would accrue to him as well as to the Government, and promised to do every thing that he could to carry into effect the plan of Mr. Guthrie. This he did; and Greene C. Bronson is well entitled to share with Mr. Guthrie the credit of having achieved one of the greatest reforms ever made in our system of finance. A correspondence ensued, conducted in the most amicable spirit, in which Mr. Bronson candidly stated the difficulties and embarrassments in the way of reform, and Mr. Guthrie argued to countervail and remove them. Mr. Bronson finally yielded his objections, and admitted that the plan was practicable. Of course, when Bronson yielded, no lesser collector could say nay, and Mr. Guthrie put the new regulation into authoritative force. The result is, that from that time Treasury accounts have been rendered monthly instead of quarterly, and within four days of the end of each month have been made to pass through all the forms of settlement in the Treasury before the close of the next month. It is not singular that, with this system, there were no defaults during Mr. Guthrie's administration.

In the Department there are six Auditors, two Controllers, one Commissioner of Customs, one Treasurer of the United States, one Register of the Treasury, one Solicitor, and one Light-House Board, making, in all, thirteen bureaus. Prior to Mr. Guthrie's time, the heads of these bureaus had been left to manage them in their own way, and according to their own views of the laws establishing them. He prescribed regulations to improve the condition of these bureaus in many particulars of public duty; but, what was perhaps most important and efficacious, he required each head-officer to make to him an annual report of the doings and proceedings of his office. In speaking of this regulation, Mr.

Guthrie said to a friend, "Of course, when they make the report, they will exhibit their offices in the best condition they can; and the next time they report they will try to improve on their former, and, to do this, will have to work up to their successive reports and improve on them." Here was another practical illustration of his hard common sense.

The full exhibition of the Sub-Treasury Act was not an ordinary piece of official duty, in which, when a head of a Department pronounces a decision, the parties affected have nothing to do but to acquiesce. On the contrary, this act of Mr. Guthrie affected, pecuniarily, and to a large degree, the interests of some of the most potent men in the country, and subjected him to their most bitter denunciations. It will be remembered that three of Mr. Guthrie's predecessors had pronounced the Act impracticable and had placed the public funds to vast amounts in the hands of irresponsible bankers, for deposit, for the purchase of stocks, for the transfer of money from point to point, and other purposes. Immense fortunes had been made by individuals from the use of the public money. The storm of wrath which sprung from the apprehensions of the threatened destruction of this source of gain was terrific.

A gentleman of high standing in this country remonstrated with Mr. Guthrie on the subject. He stated to him that in changing the practice of the Treasury in this regard he would disappoint the expectations of many of the friends of General Pierce; that he would make a split in the Democratic party; and that he himself would be driven from office. Mr. Guthrie answered, that as to going back to Kentucky, it would not cost him a second thought, as he had never sought office; that he should regret to disappoint the just expectations of any friend of General Pierce, and would deplore any division in the Democratic ranks; but, if these results were to happen—though he could hardly suppose they would—from this action of his, he must submit to them all, and would sooner see the continent shivered to atoms than violate his oath, his duty, and his conscience.

Pursuing the idea of giving the interior workings of Mr. Guthrie's mind, it is to be stated that in the session of the Senate of 1855-56, a committee was raised on retrenchment and reform,

of which the late Senator Adams, of Mississippi, was chairman. This gentleman addressed a letter—perhaps a circular—to Mr. Guthrie, requesting him to point out any abuses which had fallen under his observation, or any reforms to be made in the conducting of the business of the Government. It has been already remarked that Mr. Guthrie is by nature a reformer; and at this time he had been more than two years in office. Mr. Guthrie answered by stating, first, that he had already corrected all the abuses and made all the reforms within the province of the Treasury Department which were within his competency as the head of that Department, and gave a list of these reforms in detail. He next pointed out to Mr. Adams the abuses existing and the reforms to be made, which could only be effected by the authority of Congress; adding that he had repeatedly brought them before its notice without being able, as yet, to procure its action thereon; and, thirdly, he subjoined, that if there were any abuses to be corrected or reforms to be made in Congress, or in Departments of the Government other than the Treasury, he supposed that it was not for him to suggest them, but for Congress itself, or the heads of such Departments, to move in the matter.

There is much more of a like kind in the history, character, and services of this eminent statesman which gladly would be presented if space permitted. One more anecdote, however, to show not merely the cast of Mr. Guthrie's mind, but his ideas of the authority and responsibility devolving on the guardian of the public Treasury relatively to the other members of the Government. This anecdote is given on the authority of General Cushing, in a speech delivered in Faneuil Hall. A claim had been presented on the Treasury by a gentleman in Washington, arising out of legislation of Congress, to the amount of \$100,000 or more, and the Secretary, upon full argument on the law and facts of the case, had rejected the claim in writing. Some time after this decision, the President, having sent to the Treasury for the papers, brought the subject up in Cabinet meeting. It was discussed,—various gentlemen expressing their views, Mr. Guthrie remaining silent. The President at length said, "Mr. Guthrie, this is a claim against your Department: we should like to hear your opinion on it." Mr. Guthrie immediately rose

and said, "Gentlemen, this case has been *decided* in the Treasury. Good-morning," and, putting on his hat, walked out; thereby intimating, General Cushing supposes, that if they were about to allow the claim they must get some other Secretary to do it.

Since Mr. Guthrie's return to Kentucky he has been devoted almost exclusively to the pursuit of his railroad-enterprise, and to the enjoyment of domestic and social intercourse. He does not understand, and, consequently, cannot practise, the arts of the politician. He probably thinks, with Lowndes, that the Presidency is neither to be sought nor shunned.

JAMES H. HAMMOND,

OF SOUTH CAROLINA.

SENATOR HAMMOND is a native of the State he in part represents in the Upper House of Congress, having been born in the Newberry District, on the 15th of November, 1807. His father was a native of Massachusetts, and emigrated from that State to South Carolina, in 1802. The elder Hammond, an erudite and accomplished scholar, occupied the post of Professor of Mathematics in the (Columbia) South Carolina College, and bestowed the most anxious attention upon the education of his son,—training him with a care at once assiduous and genial, unremitting and unwearying. Those who delight in tracing or accounting for the mature effects of intellect will readily perceive in the speeches and writings of the Legislator, Governor, and statesman, the benefits of the solid foundation so devotedly laid by paternal solicitude in young Hammond's mind.

Admitted to the bar at the age of twenty-one, Mr. Hammond continued in the practice of that profession long enough to test his ability and give promise of future distinction.

Whenever great principles agitate localities, lawyers, more generally than the members of the other professions, become participants in the discussion of them. Their constant appearance in public, their readiness with pen and tongue, their resources in argument, naturally suggest to themselves and others the duty of expounding the leading questions of the day. Hence we find Mr. Hammond taking a leading part in the arena of politics as editor of the "Southern Times," of Columbia.

The Tariff policy inaugurated by the Federal Government in 1828 was regarded by South Carolina as a palpable assumption of undelegated, or rather as a gross abuse of delegated, power. The late General James Hamilton openly announced his intention to abandon his seat in Congress, being determined to resist at

home what he considered a stupendous system of fraud and iniquity; and "he boldly uttered to his constituents the startling announcement that it was the imperative duty of South Carolina to resist, at all and every hazard." That proud State, in her capacity of sovereignty, was about to assume an attitude of resistance. Mr. Hammond, having been educated in the Jeffersonian school of State's Rights, believed that in such cases a sovereign State had the right to interpose her veto. Accordingly, in the "Southern Times," he supported, and gave full illustration to, the arguments in favor of Nullification, in a series of spirited and able essays, which did much to shape and control public opinion in the exciting times which followed.

In 1831, Mr. Hammond withdrew from politics and law, and, having married Miss Fitzsimmons, a young lady of wealth and accomplishments, devoted himself to the independent life of a planter on the banks of the beautiful Savannah. His health had never been remarkably good, and an agricultural life, to which he became enthusiastically devoted, afforded an agreeable relaxation from severe studies and the exciting and exacting labors of public life.

The part Mr. Hammond had taken in giving voice to the unanimous feelings of South Carolina pointed him out to his fellow-citizens as one fitted to represent them in the National Councils; and his private life was invaded, in 1834, by the unanimous voice of his district. He was elected to Congress, and went to Washington. Unfortunately, from the state of his health, he was unable to serve out his term; but, while he occupied his seat, he greatly distinguished himself by an elevated tone of eloquence and patriotism. The question of the reception of Abolition petitions having been recently sprung upon Congress by the Society of Friends, of the State of Pennsylvania,—who begged the enactment of laws for the removal of slavery from the District of Columbia,—Calhoun objected on the instant of their presentation to all such petitions, and used the arguments by which President Jackson had recommended, and he (Calhoun) had advocated, the suppression by law of the circulation of all anti-slavery publications by mail in the Southern States. After a lengthened debate, the Senate recognised the right of petition by receiving the one in question, but, two days

after, on the 11th of March, 1836, rejected its prayer by a vote of 34 to 6.

In the House the same subject was under discussion. Mr. Hammond had made—the first time it ever had been made—the question on the reception of petitions, John Quincy Adams taking the lead on the part of the Abolitionists. Scenes of great excitement took place, Mr. Adams persisting in presenting numerous petitions from men, women, and children. A general expression against the abolition of slavery in the District of Columbia was elicited, and a resolution passed in opposition to a petition presented by Mr. Adams, which purported to be from eleven slaves in the town of Fredericksburg, declaring that slaves were not vested with the right to petition Congress.

Into this debate Mr. Hammond threw himself. He defended the constitutional rights of the Southern States with a promptitude and efficiency that for a time silenced all opposition, and secured for the orator the hearty and unanimous approbation of his constituents, and indeed of the whole South. “Never,” says a political writer of the South,* in a communication on the subject of this sketch and this period of his career,—“never was a more timely or effective blow struck for the Constitution and the Union, or for the rights, the honor, and the salvation of the South.”

On withdrawing from the House of Representatives, Mr. Hammond determined to pay a short visit to Europe, with a view to combine the pleasures and instruction of foreign travel with the restoration of his health. Having spent a year and a half in Europe, visiting the chief seats of literature and art, and collecting many fine specimens of the latter, he returned to his home. He again engaged in the occupation of a planter, declining positively the urgent solicitations of his friends to suffer his name to be put a second time in nomination for Congress.

He consented, however, to accept from his fellow-citizens the honor of an appointment to the office of General of Brigade of the State militia, his attention having been for some time previous occupied with the importance of a complete reorganization of the militia system of South Carolina. On this subject he

* Mr. D. K. Whitaker, formerly of the “Southern Review,” who kindly furnished me with many dates.

made important suggestions to Governor Hayne, who gave them form in the excellent system of brigade-encampments which he introduced during his administration.

In 1842, General Hammond was elected Governor of South Carolina, and his messages to the State Legislature while in this prominent position are highly commended for their "practical wisdom," and as being "among the best State papers extant;" while his letters on domestic slavery to Thomas Clarkson, the celebrated English philanthropist, are regarded as affording some of the most conclusive arguments that have ever emanated from any pen on this vexed question.

Some three or four years previous, the eminent divine, John England, Bishop of Charleston, had disposed of the Slavery question as involving a domestic institution, and in so far as his Catholic flock were theologically concerned.

Governor Hammond also met the question as presented to him, exposing the unnatural heartlessness of that English philanthropy which appeals to America to abolish negro slavery, while it fosters a white slavery of the most debasing character. Bishop England's letters were brought out by the appearance of an Apostolical Letter of Pope Gregory XVI., said to be against slavery, but actually against the slave-trade. Governor Hammond's were called forth by a circular of the lay chief of English philanthropists. Taken together, as they emanate from the same State, they form a most remarkable review, theological, political, moral, and social, of the whole question.

It is argued on the basis of the one that it is an impossibility that Catholic theology "can ever be tinctured with the fanaticism of Abolition;" and the writer who thus argues condenses the views of Bishop England in a comprehensive manner. He shows that Catholics may and do differ in regard to slavery, and other points of human policy, when considered as ethical or political questions; but their theology is fixed, and is, and must be, the same now as it was for the first eight or nine centuries of Christianity. During that period, as Bishop England has shown in his series of "Letters to the Hon. John Forsyth," the Church, (Letter XVI.,) by the admonitions of her earliest and holiest pastors; by the decrees of her councils, made on a variety of occasions; by her synodical condemnation of those who, under pretext of reli-

gion, would teach the slave to despise his master; by her sanction and support of those laws by which the civil power sought to preserve the rights of the owner; by her own acquiring such property, by deeds of gift or of sale, for the cultivation of her lands, the maintenance of her clergy, the benefit of her monasteries, of her hospitals, of her orphans, and of her other works of charity, repeatedly and evidently testified that she regarded the possession of slave-property as fully compatible with the doctrines of the gospel; and this, whilst she denounced the pirate who made incursions to reduce into bondage those who were free and unoffending, and regarded with just execration the men who fitted out ships and hired others to engage in the inhuman traffic. "In Catholic theology, the question is a settled one; and no one would be recognised as a Catholic who would utter the expressions we have heard from the lips of American Abolitionists who call themselves Protestants:—'If the Bible allows slavery, it should be amended.' . . . 'The Christianity of the nineteenth century should as far excel the Christianity of the early Church, as that did the old Jewish law,'" &c.*

Governor Hammond, in his letters to Clarkson, did not propose to defend the African slave-trade, but he showed that it could not be abolished by the use of force, and that it had thus far signally defeated the *philanthropy* of the world. Coming to Clarkson's new hobby, American Slavery, he declines to speak of it as an abstraction, because, in his opinion, abstractions seldom lead to useful ends.

"I might say," writes Hammond, "that I am no more in favor of slavery in the abstract than I am of poverty, disease, deformity, idiocy, or any other inequality in the condition of the human family,—that I love perfection, and think I should enjoy a millennium such as God has promised. But what would it amount to? A pledge that I would join you to set about eradicating those apparently inevitable evils of our nature, in equalizing the condition of all mankind, consummating the perfection of our race, and introducing the millennium? By no means. To effect these things belongs exclusively to a higher power. And it would be well for us to leave the Almighty to perfect his own works and fulfil his own covenants."

* "United States Catholic Miscellany," Dec. 9, 1843.

Attacking the "wretched subterfuge that the precise word 'slave' is not in the *translation* of the Bible," he argues that not the *words* of translators, but the *meaning* of the Holy Scriptures, must be regarded as divine revelation, and shows that "servant," "bondman," and "slave," were usually synonymous in the Greek and Hebrew. It is needless, however, to follow the Biblical quotations and allusions of the Governor.

As to his own convictions, he endorsed, without reserve, the much-abused sentiment of McDuffie, that "slavery is the cornerstone of our republican edifice," and, in the event of the Abolitionists dissolving the Union, had no objection whatever to cast in his lot with a confederacy of States whose citizens might all be slaveholders. He did not believe that "all men are born equal." As a commentary on the discontent of European free-labor, he reminds Mr. Clarkson that, excepting the United States, there is no country in the world whose existing government would not be overturned in a month but for its standing armies, maintained at an enormous and ruinous cost to those whom they are destined to overawe,—so rampant and combative is the spirit of discontent wherever nominal free-labor prevails, with its ostensible privileges and its dismal servitude.

Admitting that slavery increases Southern representation in Congress, Governor Hammond showed that it also increases Southern taxes, and that the balance of profit arising from the connection between the North and the South is in favor of the former. In fact, he reviewed, with brevity but sufficient force, all the arguments or accusations brought against domestic slavery and the reported ill state of society in which it was said to result. He showed that slavery has nothing to do with the tales of murder, affrays, and horrors which are constantly set forth. "Stability and peace are the first desires of every slaveholder, and the true tendency of the system." "We have been so irreverent as to laugh at Mormonism and Millerism, which have created such commotions farther North; and modern prophets have no honor in our country. Shakers, Rappists, Dunkers, Socialists, Fourierists, and the like, keep themselves afar off. Even Puseyism has not yet moved us." "Miss Martineau, with peculiar gusto, relates a series of scandalous stories, which would have made Boccaccio jealous of her pen, but which are so ridicu-

lously false as to leave no doubt that some wicked wag, knowing she would write a book, has furnished her materials.”*

The irresponsible power of one man over his fellow-men is the subject of vehement denunciation on the part of Abolitionists. Governor Hammond denies that the slaveholder in America is irresponsible. He is responsible to God, to the world, to the community in which he lives, and to the laws under which he enjoys his civil rights. “Those laws do not permit him to kill, to maim, or to punish beyond certain limits, or to overtask, or to refuse to feed and clothe, his slave. In short, they forbid him to be tyrannical or cruel.” It is the interest as well as the desire of Governor Hammond and all slaveholders to treat their slaves with proper kindness.

“Slaveholders,” he says, “are no more perfect than other men. They have passions. Some of them, as you may suppose, do not at all restrain them. Neither do husbands, parents, and friends. And in each of these relations as serious suffering as frequently arises from uncontrolled passions as ever does in that of master and slave, and with as little chance of indemnity. Yet you would not on that account break them up. I have no hesitation in saying that our slaveholders are kind masters, as men usually are kind husbands, parents, and friends,—as a general rule, kinder. A bad master—he who overworks his slaves, provides ill for them, or treats them with undue severity—loses the esteem and respect of his fellow-citizens to as great an extent as he would by the violation of any of his social and most of his moral obligations. What the most perfect plan of management would be is a problem hard to solve. From the commencement of slavery in this country, this subject has occupied the minds of all slaveholders, as much as the improvement of the general condition of mankind has those of the most ardent philanthropists; and the greatest progressive amelioration of the system has been effected. You yourself acknowledge that in the early part of your career you were exceedingly anxious for the *immediate* abolition of the slave-trade,

* “But her [Margaret Fuller’s] friendship for the latter [Miss Martineau] did not preclude her giving her candid opinion on Martineau’s book on America. Agreeing with much of it, she condemned the gross inaccuracies with which that work was filled; and, writing to the author of it, Miss Fuller says, ‘A want of soundness, of habits of patient investigation, of completeness, of arrangement, are felt throughout the book;’ and again, ‘I do not like that your book should be an Abolition book. You might have borne your testimony as decidedly as you pleased; but why leaven the whole book with it?’”—“*Democratic Review*,” June, 1852, Article “Vanity *versus* Philosophy.—Margaret Fuller (Ossoli).”

lest those engaged in it should so mitigate its evils as to destroy the force of your arguments and facts. The improvement you then *dreaded* has gone on steadily here, and would doubtless have taken place in the slave-trade, but for the measures adopted to suppress it."

After going over the South, so to say, and showing the average morality and happiness of slaves, and the nature of the relations between them and their masters, Governor Hammond charges home on Mr. Clarkson and his fellow-philanthropists the fact that the poor and laboring classes of their own race and color in Great Britain—men not only their fellow-beings, but *fellow-citizens*—are more miserable and degraded, morally and physically, than the slaves in the South,—“to be elevated to the actual condition of whom,” he adds, “would be to these, *your fellow-citizens*, a most glorious act of *emancipation*.”

In proof, Governor Hammond makes some extracts from the published reports of the commissioners appointed by Parliament. Here are a few of these passages as quoted by the correspondent of Mr. Clarkson:—

“*Collieries*.—The pits about Brompton ‘are worked altogether by boys from eight to twelve years of age, on all-fours, with a dog-belt and chain.’ In Mr. Barnes’s pit these poor boys have to drag the barrows with one hundred-weight of coal, or slack, sixty times a day, sixty yards, and the empty barrows back, without once straightening their backs,—unless they choose to stand under the shaft and run the risk of having their heads broken by a falling coal.”—*Report on Mines*, 1842, p. 71.

“‘At the Booth pit,’ says Mr. Scriven, ‘I walked, rode, and crept eighteen hundred yards to one of the nearest faces.’”—*Ibid*.

“Robert North, aged 16: ‘Went into the pit at seven years of age, to fill up skips. I drew about twelve months. When I drew by the girdle and chain my skin was broken, and the blood ran down. I durst not say any thing. If we said any thing, the butty, and the reeve, who works under him, would take a stick and beat us.’”—*Ibid*.

“Robert Crucilon, aged 16: ‘I don’t know any thing of Moses. Never heard of France. I don’t know what America is. Never heard of Scotland or Ireland. Can’t tell how many weeks in a year. There are eight pints in a gallon of ale.’”—*Ibid*.

“Ann Eggly, aged 18: ‘I walk about and get fresh air on Sundays. I never go to church or chapel. I never heard of Christ at all.’”—*Ibid*.

“Elizabeth Barrett, aged 14: ‘I always work without stockings, shoes, or trousers. I wear nothing but a shift. I have to go up to the headings with the men. They are all naked there. I am got used to that.’”—*Ibid*.

"Others: 'I don't know who made the world.' 'I never heard about God.' 'I don't know Jesus Christ: I never saw him; but I have seen Foster, who prays about him.'"—*Ibid.*

"Employer: 'You have expressed surprise at Thomas Mitchel's not hearing of God. I judge there are few colliers hereabout that have.'"—*Ibid.*

"As to illicit sexual intercourse, it seems to prevail universally, and from an early period of life. They have no morals."—*Ibid.*

"It is by no means uncommon, in all the districts, for children five or six years old to be kept at work fourteen to sixteen hours consecutively."—*Report on Children*, 1842, p. 59.

"There have been found such occurrences as seven, eight, and ten persons in one cottage, I cannot say for one day, but for whole days, without a morsel of food. They have remained on their beds of straw for two successive days, under the impression that in a recumbent posture the pangs of hunger were less felt."—*Lord Brougham's Speech*, July 11, 1842.

It is, as Governor Hammond says, shocking beyond endurance to turn over these records. He believes that if the slaves could but see the condition of the free laboring-classes of England "they would join us in lynching the Abolitionists,—which, by-the-bye, they would not now be loath to do." "We never put them to *any work* under ten,—more generally at twelve years of age,—and then the very lightest. Destitution is absolutely unknown: never did a slave starve in America; while in moral sentiments and feelings, in religious information, and even in general intelligence, they are infinitely the superiors of your operatives."

Having completed the term of his Gubernatorial office, Governor Hammond once more returned to the duties and pleasures of agricultural life. He passed many years—indeed, all the years from that period to his call to the United States Senate in 1857—in comparative retirement. His intellect, however, was not inactive; and several addresses made and published at intervals disclose a still growing force and capacity. In November, 1849, he delivered an address before the South Carolina Institute, advocating the manufacture of their own cotton in that State, and showing, by statistics, the great benefit it would be. It was contended that the introduction of manufacturing into the South would undermine its free-trade principles and destroy the last hope of the great agricultural interest. He thought the results would be precisely the reverse. "The manufacturing people of

the North desire a high tariff, for no other purpose but to compel the non-manufacturing people of the South to buy from them in preference to foreigners. If the South manufactures for itself, the game is completely blocked. We will, of course, use the productions of our own looms and workshops in preference to any others; and the North will then clamor—as the English manufacturers are now clamoring—for entire free-trade, that they may exchange their industrial products on the most favorable terms with foreign nations. The result is as inevitable as it is obvious.”

In the following month of the same year, Governor Hammond delivered an oration before the two societies of the South Carolina College, combating the too prevalent idea of the ultra enlightenment and progress of the day we live in, and the causes from which they result. It was largely received that modern progress dates from Lord Bacon; but, Mr. Hammond remarks, “we owe a very large proportion of the discoveries and inventions of modern times to Italy, where this philosophy has not yet penetrated.” The basis of his review is that discovery has done more for Bacon than he has done as yet for it, and that, after all, there is little new under the sun. It is an exceedingly interesting essay.

In November, 1850, at the request of the City Council of Charleston, Governor Hammond delivered an oration on the life, character, and services of John Caldwell Calhoun, which was listened to by thousands of the admirers of the great statesman of the South. To balance the services, analyze the motives, comprehend the life and principles, of a man of such undoubted genius as Calhoun, demands rare and remarkable qualifications. Of all the eulogies and orations upon the subject, “it is that of General Hammond in particular,” says the “Southern Quarterly Review,”* “which impresses us not only with the truth and felicity of the broad, bold outlines, but with the perfect propriety, the fitness, and the finish of the whole. In him seem to have been combined all the requisite qualifications for the analysis of such a subject; and we venture to predict that this, of all others, will be the production which will survive as an historical document.”

* July, 1851, pp. 107–109.

In addition to these publications may be named a pamphlet on "Marl," one on the Railroad System and Banks of the State, and a review of Ellwood Fisher's "North and South," published in the "Southern Quarterly." All of these writings are characterized by force, fervor, and clearness of style, and exhibit the thinker and scholar much more than the mere politician and seeker after meretricious effects.

Governor Hammond's elevation to the United States Senate, in November, 1857, would, it "was confidently expected, be salutary throughout the State, in throwing off the attempted domination of cliques and breaking down the divided leadership of mediocrities."*

In his new sphere, Senator Hammond very soon commanded national attention, and came to be regarded as the Southern champion, in contradistinction to Seward as the foremost man of the Republican party. His speech during the famous Kansas debate of March, 1858, drew all eyes—as well as the tongues of all the Abolition side of the Chamber—upon him. I well remember its effect, having attended the Senate day and night throughout that famous session. Hammond was sick of Kansas, and would say little about it if Douglas—whom he regarded as the Ajax Telamon of the debate—did not press the question of fraud. Senator Douglas believed there were irregularities, but would waive them if he could be certain that the Leecompton Constitution presented the will of the people.

Senator Hammond could not see where to look for the will of the people, save in convention. The Territorial Legislature was a petty corporation paid by Congress; the convention was the voice of the people. Swiftly passing over Kansas, he gave a bold and vivid review of the position of the South, and her capacity to sustain herself whether in or out of the Union. The declaration by Senator Seward the day previous, as well as on a former occasion, that the "battle had been fought and won," induced the Senator from South Carolina to place the North and South face to face.

The Senator exhibited the exports of the South. As to the North, he looked upon them as a great, intelligent people. They

* Correspondence of "Charleston Mercury," Dec. 1857.

were full of intellect; but they produced no great staple which was not produced by the South, while the South produced several not found in the North. Cotton was King: and no power on earth dare make war on cotton. Senator Seward had said that the whole world had abolished slavery. Senator Hammond thought it was only *in name* it was abolished. Our slaves are black, said he. They are elevated from the position in which God made them by being under our charge. The Northern slaves are white,—brothers in blood and political equals. Our slaves do not vote. Yours (to the North) do vote; and they are the repositories of all your political power. If your white slaves remembered that the ballot-box was more powerful than an army, where would your institutions be?

On the demise of his venerable friend and colleague Senator Evans, Senator Hammond made some brief and suitable remarks. On the question of British aggression, he supported the resolutions introduced by Senator Mason, of Virginia, as Chairman of the Committee on Foreign Relations. He was not opposed to a war with England, but thought it would be the most momentous occurrence that had happened for three centuries. He was for giving England a chance to postpone an event that must change the whole face of human affairs. In the debate on the Naval Appropriation Bill, Senator Hammond reiterated his position as not being an alarmist, while he was ready to meet war when it came. The navy was in a most ridiculous condition; and he was in favor of ten new steam-sloops, as a peace measure, and for the protection of our commerce. During a very warm debate, he said, "I am not willing to take one step toward a war that I would ever retreat from. I will vote for no gasconading resolutions, and support no war speeches, to alarm so great a nation as England, or to alarm anybody."*

On his return, he addressed his constituents at Barnwell Court-House (October 28, 1858) in a speech which attracted even more attention than his first speech in the Senate. More than twenty years had elapsed since he addressed the fathers of the men then present at that place. The gallant spirits who surrounded him then had for the most part passed away; but the theme remained.

* Cong. Globe, 1st Sess. 35th Cong. vol. 3.

Twenty years past his theme was the Constitution, the Union, and the rights and wrongs of South Carolina in the Confederacy. It is still the same. In this speech he gave his views in full on the Kansas question. The leading features of the Kansas-Nebraska Bill of 1854 were, he said: "It enacted that every Territory, in forming its Constitution for the purpose of applying for admission into the Union, should have the right to establish its own organic or constitutional laws, and come in with its own institutions, with the single condition that they should be republican;" and "The other feature of the bill was the repeal of the Missouri Compromise line." Neither of these features had any practical importance in his eyes, but, magnified by the press into a great Southern victory, "led the South into the delusion that Kansas might be made a slave State, and induced it to join in a false and useless issue, which has kept the whole country in turmoil for the last four years, and given fresh life and vigor to the Abolition party." He confessed his opinion that the South herself should have "kicked the Lecompton Constitution out of Congress." But the South thought otherwise. "When the bill for its adoption was framed, with what is called the *Green Proviso*, I strenuously objected to it, and felt very much disposed to vote against the whole, but again gave up to the South, which accepted it by acclamation."

In this speech, Senator Hammond, whom many had looked upon as a Disunionist, disavowed being one. For many years he believed that Southern safety was only to be found in a dissolution of the Union. He had openly avowed it. He now as openly disavowed it, in the belief that the Southern States could fully sustain themselves in the Union and control its action in all great affairs. He also announced that upon investigation he had abandoned the idea of the reopening of the slave-trade.

Seldom has a speaker on such an exciting topic received such general commendation. The conservative, moderate men of the South pronounced the speech fair and powerful, while it was read with mingled feelings of surprise and admiration at the North.

In a letter excusing his absence from the banquet commemorating the seventy-seventh anniversary of Webster's birthday, his allusion to South Carolina and Massachusetts, "the ex-

tremes," was so pointed that it cannot be here omitted. He writes to Mr. Harvey, of Boston:—

"You say that in the Revolution Massachusetts and South Carolina 'stood shoulder to shoulder.' It would be well for the world if they stood so now. And why do they not? To have brought about their present relations, one of them must have erred much; possibly both: another age will decide between us.

"Born and bred in South Carolina, of which State my mother is a native, my father is a Massachusetts man—a college-friend of Mr. Webster—and descended, I am proud to say, from your earliest Puritan immigrants. In the antagonistic positions of these two small but noble States I have personally much to regret; as a patriot, still more. I wish the breach could be filled up and obliterated. If we have done you wrong,—if we have been the aggressors,—I think I can assure you that there is not a man in South Carolina who is conscious of it; not one who would deprive Massachusetts of a single political right; not one who would interfere with any of her institutions; not one who would thwart in the least any of her peculiar and legitimate interests; and, could it be shown that we have done any of these things, not one but would desire to make prompt and ample reparation. If the same spirit animates the people of Massachusetts to the same extent, we may justly hope that—the de-luding falsehoods of political aspirants trampled under foot—our two States may yet stand 'shoulder to shoulder,' the pillars of a constitutional Republic, wisely and justly administered for the protection and advancement of all, without special privileges or endowments to any section, class, or individual, but insuring to all and each the full development of themselves."

Senator Hammond is, in the words of Mitchel, "a gentleman of enlarged views and great information; a good example of the Southern planter of the more refined sort; with an educated taste for art, literature, and all the embellishments of life; author, too, of one of the ablest, warmest, and most convincing vindications of Southern slavery that have ever been produced."*

* "The Southern Citizen," March, 1859.

SAM HOUSTON,

OF TEXAS.

ONE of the most remarkable men in the United States Senate was General Sam Houston, of Texas,—one from whose history the pioneers of empire will take hope and encouragement, and upon which the student will dwell with admiration.

Descended on both sides from ancestors who left Ireland after participating in the siege of Derry, Sam Houston was born at a place called Timber Ridge Church, in Rockbridge County, Virginia, on the 2d of March, 1793,—a date significantly famous afterward in connection with the declaration of Texan Independence. His father—a man of gallant bearing, great courage, and moderate fortune—had a passion for military life, served in the Revolution, was successively inspector of General Bowyer's and General Moore's brigades, and died in the latter capacity while on a tour of inspection in the Alleghany Mountains in 1807. Thus, at the age of thirteen, young Sam, with eight other children, was left to the charge of his mother,—a noble woman, of dignified character and great moral and intellectual force. The subject of our sketch went to school when he could be spared from work, and at his father's death the amount of his attendance is estimated altogether at about six months. The orphaned family, with the mother at their head, crossed the Alleghany Mountains, and stopped not until within eight miles of the Tennessee River, then the boundary between white men and the Cherokee Indians. All hands had now to work, and Sam's not less arduously than those of his brothers. He seems to have gone through his share doggedly enough; but, getting possessed of a few books somehow, his imagination awoke and life expanded before him in new and rapturous phases. The heroes of Greek and Latin story conjured the youth into admiration and a passionate desire to know more of his new

acquaintances. He wished to learn Greek and Latin, and, on being refused permission, he declared his positive intention of never reciting another lesson. He had, however, received that spark which waits but the slightest breath to enkindle the true fires of thought.

Against his will, the youth was placed behind the counter of a store, but soon escaped therefrom. After several weeks' search, he was found among the Cherokee Indians, and, being questioned, drew himself up to his full height and said "he preferred measuring deer-tracks to tape, liked the wild liberty of the red men better than the tyranny of his own brothers, and, if he could not study Latin in the academy, he could at least read a translation from the Greek in the woods, and read it in peace; so they could go home as soon as they liked." When his clothes were worn out, he returned for a refit, but, on the first act of tyranny on the part of his brothers, he was off to the woods again, "where he passed entire months with his Indian mates, chasing the deer and engaging in all the gay sports of the happy Indian boys, and wandering along the banks of the streams by the side of some Indian maiden, sheltered by the deep woods, conversing in that universal language which finds its sure way to the heart." The inception of the ideas which led Lord Edward Fitzgerald to lose his life in a revolutionary cause is traced to his residence with Joseph Brant and the Indians. In like manner, the experiences of Houston at this period of his life are regarded as having largely fitted him for the path he was to pursue.

Houston followed this wild and romantic life, paying one or two visits annually to his family, until his eighteenth year. On these visits he purchased many little things to present to his forest friends, and thus incurred a debt, to defray which he took it into his head to be a schoolmaster. It may readily be imagined *he* found it difficult to get pupils, but, not being of the kind that yield easily, he succeeded, and received what was then an enormous remuneration,—namely, eight dollars per annum, "one-third to be paid in corn delivered at the mill at thirty-three and a third cents per bushel, one-third in cash, and one-third in domestic cotton cloth of variegated colors," in which our Indian professor was dressed. He discharged his debts, and, after a vain

attempt to master Euclid, enlisted, in 1813, as a private in the United States army when the country was excited with the second war with England. His "friends" were outraged at his becoming "a common soldier," to which he indignantly replied, "What have your craven souls to say about *the ranks*? Go to with your stuff! I would much sooner honor the ranks than disgrace an appointment. You don't know me now, but you shall hear of me." He had his father's memories and his mother's blessing with him. Handing him a musket, she heroically said, "There, my son, take this musket, and never disgrace it; for, remember, I had rather all my sons should fill one honorable grave than that one of them should turn his back to save his life. Go; and remember, too, that, while the door of my cottage is open to brave men, it is eternally shut against cowards."

Houston was soon promoted to the rank of sergeant, and afterward to that of ensign, in which capacity he distinguished himself at the battle of the Horse-Shoe, March 27, 1814, under Jackson. While leading his men over the breastworks, a barbed arrow struck deep into his thigh. Having the wound staunched, he returned to the fight, and received two rifle-balls in the right shoulder. His life was despaired of, and for months he wavered between recovery and death.

After the peace he was retained as lieutenant, and attached to the First Regiment, then stationed at New Orleans. In the fall of 1815 he embarked on the Cumberland in a small skiff with two young men, one of whom, then a beardless youth, afterward became distinguished as Governor White, of Louisiana. Passing down the Cumberland, they entered the Ohio, and at last found their way to the Mississippi and floated through that vast solitude which was then unbroken by the noise of civilized life. With a few books,—his mother's Bible, his old Pope's Iliad, Shakspeare, Robinson Crusoe, the Vicar of Wakefield, and others,—the young soldier and his comrades passed leisurely along. After many days their skiff turned a bend of the Mississippi above Natchez, and far down the river they saw a vessel coming up the stream without sails and sending up a heavy column of smoke. Instead of its being a vessel on fire, as they had at first supposed, it proved to be the first steamboat that ever went up

the Mississippi.* At Natchez they exchanged their skiff for the steamboat, and in eight days they reached New Orleans, where Houston reported. After suffering severely from his wounds, and being detailed on extra duty as sub-Indian agent by General Jackson, who reposed the highest confidence in his utility and services, he conducted a delegation of Indians to Washington, and while there found that attempts had been made to injure him with the Government for having prevented African negroes from being smuggled into the Western States from Florida, then a Spanish province. He vindicated himself before the President and the Department, and it was Jackson's opinion that his magnanimity should have met with more cordial recognition. Houston considered himself aggrieved, resigned his lieutenancy, and, returning with the delegation to Hi-Wasse, resigned also his sub-agency, and went to Nashville to study law.

He commenced his studies in the office of the Hon. James Trimble, June, 1818, and, after a determined application for six months, was admitted with *éclat*. Purchasing a small library on credit, he established himself at Lebanon. His military services led to his appointment as Adjutant-General of the State, with the rank of colonel; but so assiduous was he in his law-studies that in October of the same year he was elected District Attorney of the Davidson district, and took up his residence at Nashville, where he came in contact with the ablest men of the Western bar. The fees of the office did not correspond with its duties; so Houston resigned in a year and resumed regular practice, in which he soon rose to distinction.

In 1821, Colonel Houston was elected Major-General, and in 1823, so popular had his talents become, he was sent to Congress without opposition. At the expiration of his term he was re-elected, and won such confidence by his acts in the National Legislature, that he was in 1827 elected Governor of Tennessee by a majority of over twelve thousand. Thus has the refractory tape-seller, the forest-dreamer of the Iliad, the wild hunter of the woods, the comrade of the red man, risen to the proud position of chosen chief of a republican State. But an unfor-

* See "An Authentic Life of General Houston," published New York, 1855, p. 39.

fortunate event burst like a whirlwind upon his brilliant prospects. A domestic affliction led him, in 1829, to resign his office, and he turned his back upon "the palefaces," and once more sought comfort among the Indians. He landed at the mouth of White River, ascended the Arkansas to Little Rock, and pursued his way, by land and water, to the Falls of the Arkansas, four hundred miles to the northwest. He was touchingly welcomed by his adopted father, the old chief Oolooteka, who said the cloud which had fallen on Houston was a visitation of the Great Spirit, so that the red men might have the benefit of his counsel. "I know," he said, "you will be our friend, for our hearts are near to you, and you will tell our sorrows to the great father, General Jackson. My wigwam is yours; my home is yours; my people are yours: rest with us."

For three years the exile dwelt with the Cherokees. He studied the red man and his wrongs, and is proud to declare that, during an intimacy of years, he never was deceived or betrayed by a son of the forest. Though always invited to mingle in their councils, he never participated in their deliberations; but he shared the confidence of the chief, and determined to devote himself to the interests of his friends. Feeling that he had the respect and affection of Jackson, who was then President, he resolved to scrutinize the doings of the Indian agents and report his observations. Alluding to the result in a speech in after-times, he said there was not a tribe which had not been outraged and defrauded; and nearly all the wars we have prosecuted against the Indians have grown out of the cruel injustice practised toward them by our Indian agents and their accomplices. In 1832 he visited Washington and caused an investigation to be held, the result of which was the dismissal of five agents and sub-agents.

This involved him in a series of difficulties at Washington, which lasted nearly a year. Combinations were formed against him by the influence of the dismissed agents; the Congressional majority hostile to Jackson readily undertook to attempt the disgrace of his friend; personal violence was resorted to, to intimidate or get rid of Houston; and charges of extortion were made against him. Seldom, says one of his biographers, after giving a detailed outline of these difficulties,—seldom, if ever,

in the history of this country has so malignant a persecution been waged against a public man. Seldom in the history of the world has a man been able to withstand so mighty a conspiracy. But Houston came off triumphant. During this entire period of attack and abuse, he had displayed no cowardice nor shunned the most searching scrutiny. He had bared his breast to his foes and invited their weapons. And now, when they had given over the contest and retired from it loaded with mortification and contempt, this hunted and persecuted man deliberately abandoned once more the haunts of civilization, and went voluntarily where his foes never could have driven him,—back to his exile. He returned through Tennessee, and everywhere met with evidences of deep regard. Recent persecution won for him a deeper sympathy, and the universal desire was that he should remain in the State. His purpose was fixed. Posts of honor and emolument offered by Jackson were rejected, and he sought shelter and succor by the hearthstone of a savage king, in bitter satire on the persecutions of civilized life.

While on a private mission to the Comanches at San Antonio de Bexar, Houston was earnestly pressed, at Nacogdoches, to allow his name to be put forward as a candidate to a convention to be held in the following April. He was unanimously elected, and took up his residence with his new constituents. The convention was composed of more than fifty members, assembled at San Felipe de Austin, met in a rude, narrow apartment on the 1st of April, 1833, and was the first deliberative assembly “made up of men descended from the Anglo-Saxon race which had ever assembled within the limits of the ancient dominions of Cortez.” In thirteen days a State Constitution was completed, and a memorial addressed to the Supreme Government of Mexico, setting forth the reasons why Texas should be recognised as one of the States of the Mexican Confederacy, was prepared. It was at this convention that Houston displayed that wise policy which has linked his name forever with Texas; and those who were present attribute to his influence there the tone of feeling which followed.

Matters quickly ripened. Austin, who carried the memorial to the city of Mexico, after having been immured in a dungeon for several months without even the form of a trial, was libe-

rated by Santa Anna. On Austin's return to Texas, he found the public feeling excited. An edict of Santa Anna demanding the surrender of arms, which would have left the Texans defenceless against the Indians, fanned the slumbering fire into a flame. The seizure of a four-pounder at Gonzales brought the people together; Austin arrived, was elected general of the forces, and, rescuing the field-piece, pursued the Mexicans to Bexar. A general alarm extended along the Sabine: the tocsin had been sounded, and Texas stood up as one man. This was in October, 1835.

Committees of vigilance and safety and partial organizations of militia sprung rapidly into being, and Houston was elected general of Texas east of the Trinity. Austin proposed to give him supreme command, but Houston declined, showing that the troops then in the field were either those who elected Austin or mustered in obedience to his requisition. A general consultation was held, a council of war followed, and a provisional Government and a Declaration was the result,—in all of which Houston had important influence. He still wore his buckskin and blanket in the Indian fashion; apropos of which Jackson is reported to have said at the time that "he thanked God there was one man, at least, in Texas who was made by the Almighty, and not by a tailor!" A Governor, Lieutenant-Governor, and Council were created; and, measures having been set on foot to raise a regular army and organize the militia, the stalwart man in the blanket, the adopted Indian, was elected commander-in-chief of the armies of Texas.

On March 2, 1836,—the anniversary of the general's birthday,—the Declaration of Independence was proclaimed, and Houston was returned by the votes of the new convention as chief of the army. It is beyond the scope of this work to detail the romantic and startling incidents of the Texan War of Independence,—to picture the horrors of the massacres at Goliad and the Alamo, or the wondrous power of Houston, in convention and camp, in keeping the men together under difficulties the most disheartening, and inspiring them in the face of the discontent of some of his leaders, the disobedience of others, the want of courage of some, and the want of faith of many. With straggling forces, subject here and there to the personal ambition of

self-willed men, half clad, half armed, with few resources and crowding difficulties, and the disparity of overwhelming numbers in the Mexican ranks, the heroic fortitude of Houston seems more a matter of poetic fancy than of historic fact. From his assumption of the chief command to that immortal day at San Jacinto,—when the Texans, after firing, broke in a headlong charge, like the Irish Brigade at Fontenoy, upon the enemy's rank, "with empty guns clutched in their hands" like war-clubs, and finished them with their pistols and bowie-knives,—the struggle was of a most trying and, at times, dismal character. In one of his despatches to Rusk, General Houston says, "I will do the best I can; but, be assured, the fame of Jackson could never compensate me for my anxiety and mental pain." Owing to Houston's magnanimity, the life of his prisoner, Santa Anna, was spared. For this he was lustily decried; but General Jackson declared that he deserved as much honor for his treatment of Santa Anna after the victory as for the victory itself. "Let those who clamor for blood," said Jackson, "clamor on. The world will take care of Houston's fame."

Houston was elected President; Senators and Representatives were elected at the same time; and on the 3d of October, 1836, the delegates assembled at Columbia and the first Congress of the Republic of Texas was organized. On the 22d, the inauguration took place, and President Houston delivered an address outlining his future policy. The conclusion—when he delivered up his sword—was very touching.

"It now, sir," said he, "becomes my duty to make a presentation of this sword,—this emblem of my past office." The President was unable to proceed; but having firmly clenched it with both hands, as if with a farewell grasp, a tide of varied associations rushed upon him in the moment, his countenance bespoke the workings of the strongest emotions, his soul seemed to dwell momentarily on the glistening blade, and the greater part of the audience gave outward proof of their sympathy. It was a moment of deep and painful interest. After this pause, more eloquently impressive than the deepest pathos conveyed in language, the President proceeded:—"I have worn it with some humble pretensions in defence of my country; and, should the danger of my country again call for my services, I expect to

resume it, and respond to that call, if needful, with my blood and my life." His Presidential term closed on the 12th of December, 1838, and, according to the Constitution, he could not be re-elected for the succeeding term. Lamar was made President, and was succeeded by Houston on the 13th of December, 1841, the ex-President having in the mean time represented his district in the Texan Congress.

President Houston, from the first, was the able advocate of annexation with the United States, and exerted his influence on the most appropriate occasions. In one of his last communications on the subject, he urged annexation as necessary to the perpetuation of the United States. "If this great measure fails, the Union will be endangered, its revenues diminished, and a European influence will grow up in Texas, from our necessities and interests, that will most effectually prejudice the interests of the United States."

On the admission of Texas, (December 29, 1845,) its ex-President, Houston, and General Rusk were chosen to represent the State in the Senate of the United States.

Senator Houston advocated the Compromise measures of 1850, and was opposed to the Nebraska Bill and to the repeal of the Missouri Compromise. Within his recollection, Alabama, Missouri, Florida, Arkansas, Mississippi, Wisconsin, and Iowa had been organized without the principle deemed essential in the Nebraska Bill. To use his own words, he bowed with deference to sovereignty, but did not apply the principle to the Territories in their unorganized condition. He did not and would not reflect on those who introduced or supported the bill, but he deprecated the consequences which would flow from it. "Maintain the Missouri Compromise," he cried; "stir not up agitation; give us peace." On the 3d of March, 1854, he defended the three thousand Massachusetts clergymen who petitioned Congress against the Nebraska Bill, and called their memorial "a respectful protest in the name of the Almighty God." As a Senator he has been the steady friend and defender of the Indians, and the persistent advocate of fair dealings with them.

In reply to a question by Senator Mallory,—“Whether he (Houston) approves or does not approve of so much of the creed attributed to the Know-Nothings as would make those who pro-

fess the Roman Catholic religion ineligible to office?"—Senator Houston replied, he would not vote for such a law, and could not approve it. The proscription charged upon the "Know-Nothings" was nothing more, he said, than what formerly existed between Whigs and Democrats. He desired that every foreigner coming to live here should be endorsed by one of our consuls abroad, and he was opposed to infamous characters and paupers coming among us.

In 1854, General Houston was recommended as the people's candidate for the Presidency of the United States. The General Committee of the Democracy of New Hampshire nominated him; and his claims were advocated in an able address to the Union from that body, said to be written by Edmund Burke, of the Granite State. In 1856, he supported Fillmore and Donelson, the nominees of the "American" party for President and Vice-President.

In the Thirty-Fifth Congress, Senator Houston created a wide sensation by his proposition (February 16, 1858) for a United States protectorate over the States of Mexico, Nicaragua, Costa Rica, Guatemala, Honduras, and San Salvador, in such form and to such an extent as shall be necessary to secure to the people of said States the blessings of stable republican government. He held that recent events showed the inability of those States to take care of themselves, and our Government, as the great Power of North America, should extend a helping hand to its feeble neighbors. The project was, however, deferred. Senator Houston advocated the Southern route for the Pacific Railroad, and took occasion to speak of the South as not favoring secession or disunion, and in condemnation of the slave-trade. He did not like the term "Southern Rights;" for the South had no rights which were not equally possessed by the North. Senator Iverson, of Georgia, made some remarks in response, denying the right of Houston to speak on behalf of the South, as Texas had repudiated him for favoring union when union could only be maintained at the sacrifice of the South. The next day Houston replied, and, admitting that Texas had chosen to dispense with his services, said he was glad they were able to get along without him, for it demonstrated the increasing prosperity of the State. He reviewed the "gaseous gentlemen and street-corner politicians" who still talked of secession when there was no sentiment to

back them up, and concluded by alluding to Iverson's attack. It reminded him, he said, of the old fable of the dead lion, who being espied by a certain animal, the latter took advantage of his defenceless position to plant his heels in the lion's face. He would not name the animal, but it was the same from which Samson took the jawbone. Houston sat down amid great laughter, both on the floor of the Senate and in the galleries; and the Senator from Georgia promptly and gracefully apologized for having, in the heat of debate, wounded the sensibilities of General Houston, for whom he cherished a high regard.

Returning to Texas, Houston entered into the Gubernatorial campaign; and defined his position in a lengthy speech at Nacogdoches, which attracted general attention. He claimed to be a Democrat of the old school, and would not be shackled by conventions. He was older than platforms, and was a statesman before the days of conventions. Jefferson was not nominated by a convention. General Jackson refused to go before a convention. The people of Texas would not be dictated to by a convention calling itself Democratic, and they had called upon him to stand against the nomination of the convention which assembled at Houston. The sentiment of that convention was in favor of the reopening of the slave-trade. The result of reopening the trade would be a reduction in the price of cotton by over-production. Freights would rise, and the ship-owners of the North would make the profits. Two years ago the people of Texas abused him for his vote against the Kansas-Nebraska Bill; but he still maintained the correctness of that vote. In 1856, he voted against President Buchanan, because he did not approve of the Cincinnati platform; but he had since supported him, and should continue to do so, regarding him as an honest man and a patriot.

He was triumphantly elected, showing that the Texans still cling to their old leader and liberator. "Houston," said Benton, in 1836, "is the pupil of Jackson; and he is the first self-made general since the time of Mark Antony and the King Antigonus who has taken the general of the army and the head of the Government captive in battle. Different from Antony, he has spared the life of his captive, though forfeited by every law, human and divine."

R. M. T. HUNTER,

OF VIRGINIA.

THIS eminent statesman was born in the county of Essex, Virginia, on the 21st of April, 1809. He was educated at the University of his native State, and graduated with distinction. He afterward studied law with Judge Henry St. George Tucker, at Winchester, and joined the bar of his native county in the year 1830, where he continued in successful practice for several years.

Mr. Hunter's first vote in a Presidential election was cast for Andrew Jackson, in 1832; but he was opposed to the doctrines of the Proclamation and Force Bill, and on this issue was elected to the Lower House of the Virginia Legislature in 1834, on the very day on which he became eligible. In this body, composed of some of the first men of the State, he soon attained a high position, and enjoyed in an eminent degree the confidence and respect, not only of his associates, but of the public at large. At that early day, his speeches upon the great questions of State policy which engaged the attention of the Legislature, and especially those relating to finance and banking, exhibited strong indications of that extended historical research and profound political philosophy which have so pre-eminently distinguished his later efforts upon the broader theatre of the National Councils. He remained in the Legislature three years; during which period, while he opposed the Proclamations and the Expunging Resolutions, he supported the veto of the United States Bank, and was against Distribution and for Free-Trade.

In 1836 he voted for Judge White for the Presidency, and in the following year was elected to the National House of Representatives by the States-Rights Whigs.

When Mr. Hunter entered Congress, all the great interests of the country were suffering under the blighting influence of pecu-

niary pressure, resulting from a derangement of the currency consequent upon an undue expansion of the credit system. Distress and ruin pervaded every class of society and paralyzed every department of industrial pursuit. The great question which agitated the public mind, and engaged the earnest attention of patriots, was, what measures, within the constitutional powers of Congress, were best calculated to afford relief and guard most effectively against a recurrence of the evil.

In considering this question, Mr. Hunter deemed it best first to examine into the causes which had produced the evil, when he would be better prepared to apply the remedy. In a speech delivered by him on the 10th of October, 1837, in the House of Representatives, on the bill "imposing additional duties, as depositaries in certain cases, on public officers," he traces those causes in a masterly manner. I present a couple of brief extracts, because the one is referred to by his friends as indicating the elevated tone of patriotic feeling which has so strongly marked his entire public life, lifting him above mere party considerations upon all questions involving the vital interests of the country; and because the other presents the true causes of the then existing distress.

"I feel, sir," he said, "a most painful sense of the responsibility of my position. On the one hand, I know that he cannot be justified on the plea of ignorance who lightly tampers with the important interests now concerned in our action; and, on the other, if personal or party considerations were to deter me from doing whatever may be done for the relief of the country, I feel that my name would deserve to be pursued through all posterity with execrations. I might, perhaps, escape responsibility by declaring that, as I had nothing to do in producing the present distress, so I was bound to do nothing toward restoring things to a sounder condition. Sir, I scorn the excuse. I think I see something which may be done for the good of the country, and I am willing to share the responsibility with those who will attempt it. In taking my course I form no new connections, I make no alliances: I act as I was sent here to act. I legislate not for party, but for the good of our common country. I tread all personal and party considerations into the dust, when they present themselves in competition with the most important interests of the people."

After showing that the Government had no constitutional power to extend immediate relief, and that a resort to the expedient of a United States Bank would only aggravate the evil, he says, "But I pass from the consideration of the means of

immediate relief, real or imaginary, which are not within our reach, to those which may be. And here I beg leave to pause upon our fiscal policy, and its incidental effects upon currency and trade. If it has introduced causes which disturb the natural level of circulating capital, and furnished a false excitement to currency and credit, that policy ought to be changed. Public convenience may require that the change should be gradual, but important interests demand that it shall be ultimately made." After much consideration, he arrived at the conclusion that the commercial distresses had been mainly produced by the American banking-system,—a system which precipitated its own downfall; and this catastrophe, he believed, was hastened by the connection between the system and the Government. He demonstrated these propositions by a vigor of argument and force of illustration which placed him at once in the front rank of parliamentary debaters.

On the 8th of January, 1839, Mr. Hunter introduced a series of resolutions having for their object the extension of some relief to the country at large, and on the 6th of February following, as chairman of the select committee to which said resolutions were referred, presented an able report, accompanied by a bill (N^o. 1133) to carry out the purposes indicated, to wit: First, to leave the public money in the hands of the public debtor until actually wanted by the Government, and thus give that portion of the capital of the country to the uses of trade, and at the same time secure interest to the public as the consideration of its use.

Secondly, to set off periodically the liabilities to and from the Government, by fixing certain days, at intervals of three months, for receipts and disbursements, so as to concentrate as many demands to and from the United States as might be practicable at the same time and place.

Thirdly, to diminish the risk of speculation and default on the part of public officers: first, by this exchange of credit, which, so far as it could be effected, would accomplish at the same time the collection and disbursement of the revenue without affording a temptation to theft; and, next, by providing for cash transactions, so that the money which passed through the hands of the public officers should be limited in quantity to the actual demands to be made upon them within a period of twenty days.

Fourthly, to introduce greater order and facility in the adminis-

tration of the Treasury Department, by fixing these stated periods for receipt and disbursement, so as to enable the Secretary to obtain adequate notice not only of the sums due from the Government and of the time and place of demand, but also of the sums due to the Government and of the time and place of receipt.

Throughout the Administration of President Van Buren, Mr. Hunter occupied an independent position, as a member of the strict States-Rights school of Virginia, opposed to the Clay-Webster policy and party, and only acting in opposition to the Administration so far as it coincided with that policy.

At the regular election of members by Virginia to the Twenty-Sixth Congress, Mr. Hunter was chosen a second time. The organization of the body was delayed by the acrimonious contest in regard to the contested seats for New Jersey. Parties in the House were nearly evenly divided, and the balloting for Speaker was protracted. On the eleventh ballot Mr. Hunter received 119 votes, and was duly elected. He returned thanks in an address declaring his purpose to administer the duties with strict impartiality; and the general concurrence of the House in his decisions is a sufficient evidence of his success during a Congress noted for its partisan heat and excitement, and from the fact that at the close of his term of service a resolution of thanks, offered by Mr. Briggs, of Massachusetts, for the "able, dignified, and impartial manner in which he discharged the duties of the Chair," was passed by a unanimous vote. This was the first instance in which a member has been chosen presiding officer at his second term of service.

At the election of members to the Twenty-Seventh Congress, Mr. Hunter was a third time chosen. He took his seat at the extra session which had been called by President Harrison to meet on the 31st of May, 1841. At the preceding Presidential election the opposition to the Democracy had triumphed by a large majority. They had also secured overwhelming majorities in both branches of Congress. Flushed with their triumph, they forthwith repealed the Independent Treasury Act, and, under the lead of Mr. Clay, proceeded to enact the favorite measures of his political system. Among these were a bank, the distribution of the proceeds of the public lands, the Loan Bill, the Bankrupt

Law, and a protective Tariff. These measures were sternly resisted by the Democracy; and in this work Mr. Hunter took a prominent and efficient part. It need scarcely be stated that both Bank bills were nullified by the veto of President Tyler. On the 10th of July, 1841, Mr. Hunter spoke in opposition to the Loan Bill. This bill was an essential part of the Whig scheme of policy, and to strike at it was to strike at the whole system of class-legislation. The whole question of Government taxation and expenditure was brought into review in the debates upon this measure. The tenor of Mr. Hunter's speech may be gathered from the following extracts:—

“Who does not see that there is a necessary connection between this and the question of unequal taxation and disbursement? and hence have arisen the great contests which have disturbed the social condition of man, not only here, but elsewhere. It is not, as has been said, a contest between capital and labor, or between property and numbers, but between the tax-consuming and the tax-paying parties. By the tax-consuming party, I mean those who receive more money from the Government than they contribute to it, and by the tax-paying, those who contribute more than they receive; the one looking to Government for the means of living, the other viewing it as a necessary but expensive instrument for the protection of persons and property; the one interested to have the revenues as large and the disbursements as unequal as possible, the other interested in equal disbursements and in paying as little as may be consistent with the attainment of the great moral ends for which alone they value their Government. In proportion as the former prevail, the incentives to industry diminish and the moral feeling of the people is depressed. The few who administer the Government and lay taxes for the mere purpose of consuming them divide the great mass of those opposed to them by leading one class, or one section of the country, to plunder another. But, when they have thus rendered the honest returns of labor and the rights of property insecure, the people, forsaking the arts of industry, use the ballot-box for the means of living, and, sinking under indolence and depravity, either fall before the pressure of invasion from without, or seek relief from the oppressions of the few by submitting to the despotism of one. These parties have existed, and will exist, in all Governments.

“It may seem, at the first view, that the tax-payers outnumber them so far that there could be no possibility of their ascendancy. They would, therefore, resort to art and management; they would look first for the means of bribing one class of the community, or one section of the Confederacy, by plundering some other. A fit measure for such a purpose would be a protective Tariff; a scheme to tax the whole for the

benefit of a part,—the many for the few. They might thus secure the assistance of the privileged and protected class, not only in this, but, it may be, in other schemes to plunder the less favored classes in the community. Let us suppose now, sir, that having gained this assistance and collected a large revenue, they still felt their phalanx too weak for the odds opposed to them: what next would they do? They would seek a mode of dividing the different sections of the Confederacy, and of calling some one of them to their assistance, by holding out to them the prospect of plundering the others. They would set on foot some grand plan for expending large sums of money upon works of internal improvement,—upon the construction of artificial harbors, the removal of obstructions in rivers, the erection of piers, breakwaters, and sea-walls,—and so contrive it that the benefits of these works should be distributed as unequally as possible. And now, having secured new allies, by disbursing upon a part the taxes which were raised from the whole, they would have accomplished much. But one thing would still be wanting. They would desire some instrument which would enable them to depress the value of property to-day and elevate it to-morrow; to increase the profits of one class of producers and diminish those of another; to transfer trade from one section of the community for the benefit of some other; to silence popular clamor, when they wished it, by raising prices; and to produce it, if it better suited their purposes, by depressing them; to distribute, in short, the profits of trade and labor as they pleased, and by means so secret, and machinery so invisible, that none but the initiated could know by whom and how it was done. Where could so admirable, so efficient an instrument be found? The refinements of modern ingenuity have furnished it in a ‘National Bank.’ I care not for the name, sir. It is a matter of indifference to me whether it comes in the flaunting scarlet of the Babylonian harlot, with ‘Bank of the United States’ written on its forehead, or whether, reformed in name, but not in spirit, it comes in Magdalene attire and calls itself a ‘Fiscal Agent.’

“Mr. Chairman, there is yet another measure which would be eminently conducive to this general design: I mean, sir, a distribution bill,—just such as we have lately passed. A bill passed under circumstances and upon principles which virtually affirm the power of Congress to distribute the revenue, no matter how raised, and in any manner, no matter how unequal. A bill not only unequal upon its face, in the distribution between the different sections of this Confederacy, but which contains the deadly seeds of future strife and division between the various classes of society.”

These extracts unveil the whole scheme of Whig policy, concocted by Mr. Clay and supported by all the force of the Whig press and organization. Against this policy the Democracy were unable to do more than offer their protest and to expose

the dangerous consequences. With the exception of the Bank bills, which were vetoed, these measures became laws, in despite of Democratic opposition; but the stand then taken and the arguments made by Democratic statesmen were not without their due effect. They rallied the party from an almost hopeless minority, commanded the attention of all thinking men, and, finally, led to the defeat of Mr. Clay, in 1844, and the overthrow of his policy. In the debates of the time Mr. Hunter took an early and a prominent part. No man in the House of Representatives contributed more to the vindication of Democratic and States-Rights principles. We discover in his speeches not the temper of the mere partisan, but the spirit of one who feels that he is pleading the cause of truth itself. We find, throughout, unfaltering trust in the ultimate triumph of the true principles of the Constitution,—a confidence based upon a profound study of the laws of political economy, which has been amply justified by subsequent events.

Mr. Hunter addressed the House, at the same session, in opposition to the Senate bill for the charter of a Fiscal Bank of the United States, presenting at length his objections upon the grounds both of its unconstitutionality and inexpediency.

At the ensuing session of 1841–42, the leading topics were the Protective policy, the distribution of the proceeds of the public lands, and the veto power. The President had vetoed the Temporary Tariff Bill, which combined the Protective and Distribution policies. Mr. Hunter defended this veto upon the principles already given, and spoke with much earnestness in support of the veto power, which had naturally become odious to the Whigs, and was bitterly assailed by them. In fact, it was proposed by them to strike this power from the Constitution.

The leading measure of the session, however, was the Tariff Bill of 1842, which was opposed by Mr. Hunter in a speech of unusual power and eloquence.

In the third and last session of the Twenty-Seventh Congress the repeal of the Bankrupt Law was passed by the Whigs at the extra session of 1841. For this repeal Mr. Hunter voted, and thus aided to overthrow a favorite, and that not the least objectionable, measure of Federal policy.

At the election for members of the Twenty-Eighth Congress, Mr. Hunter was defeated by his competitor, Mr. Willoughby Newton, by a small majority. The number of representatives from Virginia had been reduced by the preceding apportionment from twenty-one to fifteen. This had, of course, changed in part the counties of the district; and "Mr. Newton also used against Mr. Hunter with some effect his views upon the Currency question, and charged that they were the cause of the pecuniary embarrassments of the country." The most prominent measures before this Congress were the resolution for refunding the fine imposed by Judge Hall upon General Jackson, the bill for the reduction of duties, and the project for the annexation of Texas. It is well known that Mr. Hunter warmly advocated all of these measures.

Though absent from the House of Representatives, he was by no means an idle spectator of the political strife preceding the Presidential election of 1844. He was actively engaged in the advocacy of Mr. Polk; and so successful were his efforts, that as the latter gentleman came into power in 1845, so did Mr. Hunter re-enter Congress, having triumphantly redeemed his district for the Democracy.

The session of 1845-46 was noted for its discussion upon the most important points of foreign and domestic policy. The settlement of the Oregon Boundary question, which had occupied the attention of Mr. Polk's and the preceding Administration, threatened to involve the United States and Great Britain in war. A protracted correspondence and negotiation with the British Government had ended without bringing the two parties to any agreement. The whole subject was brought to the notice of Congress, and was there elaborately discussed. Mr. Hunter was one of those who were desirous to preserve the peace of the country, and who thought the subject a proper one for negotiation, and advocated a compromise of conflicting claims. These views he maintained in his speech before the House on the 10th of January, 1846. The party favoring this policy acquired a large ascendancy in Congress and before the country. The dispute was finally settled by the Treaty of Washington, concluded June 15, 1846, and ratified by the Senate by a vote of three to one.

The relations of our country with Mexico had, after a suspension of diplomatic intercourse, and a refusal by that Power to receive our minister, finally ended in war. It is scarcely necessary to say that Mr. Hunter rendered cordial and efficient support to all measures essential to a vigorous prosecution of the war.

This session is memorable for the establishment of the Independent Treasury, the passage of the Revenue Tariff of 1846, and the establishment of the Warehousing system. Each of these measures is largely indebted to Mr. Hunter's aid. He addressed the House at length in favor of the second measure and in support of the principles of Free Trade. At the same session he took an active part in promoting the retrocession of Alexandria to the State of Virginia,—a measure which has greatly inured to the benefit of that town.

The second session of the Twenty-Ninth Congress was marked by a renewal of the Slavery agitation. It had become evident that the war with Mexico would result in a large acquisition of territory from that country. California and New Mexico were already in our possession. But while our troops were still encountering the bullets of the Mexicans, or falling under the deadly diseases incident to the climate, the Free-Soil party endeavored to press their peculiar views, and to make it a condition precedent to the passage of the Three-Million Bill that slavery should be forever interdicted in the territory to be acquired. Mr. Wilmot offered his celebrated Proviso, and at one time it passed the House by a considerable majority. The National Democracy, however, afterward succeeded in striking out this obnoxious provision. The Oregon Bill also led to a discussion upon the question of Slavery, in which the purpose of the "Abolition and Free-Soil Party" to grasp all future territorial acquisitions was distinctly avowed.

Mr. Hunter's character as a leading mind of the Southern Democracy was now unquestioned; and the fact received additional and honorable testimony in 1846 by his elevation to a seat in the United States Senate, to which position he has since been twice re-elected.

To the leading questions of the nation Senator Hunter has ever addressed himself with consummate skill and force, seeking

to raise the standard of sound common sense rather than to exercise the craft of the politician in matters of legislation and diplomacy.

Mr. Hunter took his seat in the Senate at its meeting in December, 1847, and was placed upon the Committee of Finance,—the most important committee of that body. At this session, he addressed the Senate upon the Mexican War, and, while advocating its prosecution, objected strongly to any project for the incorporation of the whole of Mexico into the United States, as had been proposed. He also spoke upon the bill providing for the Territorial Government of Oregon, opposing the doctrines and propositions of the Free-Soil party. He also, with the body of the Democratic Senators, voted for the Clayton Compromise.

The session of 1848–49 ended without any definitive disposition of the controversy in regard to slavery in the new Territories. No bill was passed for the Territorial Government of California and New Mexico. The Presidential election had resulted in the choice of General Taylor; but his policy in respect to the question had not been disclosed before his election, and thus this subject went over to the next Congress as a bone of contention.

In the debate on the resolutions introduced by Senator Cass on the 24th of December, 1849, recommending an inquiry into the expediency of suspending our diplomatic relations with Austria, for the avowed purpose of expressing our indignation at the conduct of that Government in the then recent Hungarian struggle, Senator Hunter took opposing grounds. He thought the resolution was founded on an utter misconception of the nature of diplomatic institutions. He could not find in history any precedent showing that they had ever been used to punish other Governments. They were designed as convenient means to settle disputes and preserve peace. Then, again, its application in this case was unequal and unjust, for there were as good reasons to punish Russia, France, and Rome in the manner proposed as Austria. A third reason for his opposition was that the resolution reflected on our past conduct toward foreign Governments. If it were our duty to chastise other Governments in acts of oppression toward their own citizens, or

for violations of what we considered the rights of man, then, he held, we had grievously failed in our obligations. With how many Governments should we not have suspended diplomatic relations upon the partition of Poland? With how many during the aggressive wars of Napoleon? Which of the European nations would have escaped after the Treaty of Vienna and during the existence of the Holy Alliance? "Why," said he, "we could not have recalled ministers fast enough about that period to have signalized our abhorrence of the daily violation of the rights of man, in the arbitrary disruption of territories long united together, and the forced connection of people to Governments to which they were averse."

In discussing the great issue pending between North and South in 1850, and with an earnest desire that it should be settled,—not by any half-way compromise, which would cover up the difficulty without removing it, but upon principles of justice and in accordance with the Constitution,—Senator Hunter made a thorough review of the Territorial question. Founding his argument on the postulate that the action of Congress in the Territories was to be governed by the Constitution, he came to the conclusion "that if a slave be carried from a slave State to the territory of the United States, he is property still,—certainly, if there be no law prohibiting it, and not so certainly, but clearly, in my opinion, even if Congress had passed such a law, for it would be manifestly unconstitutional." In continuation, he remarked, "There is an opinion that Congress is omnipotent in the Territories, and under no constitutional restraints there; but it has been shown that this would admit their power to do things actually forbidden by the Constitution and contrary to our whole system." Another class of minds seemed to suppose that the power of government rested in the people of the Territory. "This, too," said Senator Hunter, "would lead to the same extreme conclusions, and admit their right to do things forbidden by the Constitution and contrary to its spirit."

At the ensuing session of 1850–51, Mr. Hunter was made Chairman of the Finance Committee,—a position which he has held to the present time, and in which no man has performed a

larger amount of labor or enjoyed in a higher degree the confidence of the Senate.

In May of the following year, some two hundred of the wealthiest and most influential merchants of the city of New York—in appreciation of Senator Hunter's "active intelligence and unsectional spirit as Chairman of the Committee of Finance," and more especially in regard to his liberal spirit in advocating the establishment of a branch mint in New York—invited him to a public dinner. No personal compliment could have been more acceptable; but he was constrained to decline—which he did in a suitable letter.* Speaking of the struggle through which the country had passed, and of the men who had rallied for union, the "Democratic Review" awards a just tribute to the subject of this sketch for "that nationality of character which comprehensively grasps the future and the present,—which divests itself of local and sectional prejudices," and views with pride the improvement of every section of the Union.

The Thirty-Second Congress was much more of a business body than the preceding one. We find Mr. Hunter taking an active part in the work of the session. Among his prominent efforts may be mentioned his speech upon the public-land policy, his speech of the 16th of April, 1852, upon the organization of the Departments and the settlement of accounts, and his report upon the coinage and the means of keeping the silver currency in the country.

In the Presidential canvass of 1852, Senator Hunter eloquently advocated the claims of the Democratic candidate.

He had now served six years in the Senate. His first election—like that of Senator Mason—had been the result of a union of Whigs and Democrats,—the majority of the latter voting for a different candidate. On the present occasion, he received in caucus, as a candidate for re-election, the vote of every Democrat, with a single exception. The Democrats had a large majority in the Legislature; and on the following day he was

* The invitation and reply may be found in the "Democratic Review," July, 1851, vol. xxix.

again chosen Senator, receiving the same vote as in caucus, and about one-half of the Whig vote of that body.

In 1853, Senator Hunter voted against the bill for the protection of the emigrant-route, and the establishment of a telegraphic line, and of an overland mail, between the Missouri River and the settlements in California and Oregon. He thought it one of the most extraordinary bills which ever emanated from a committee of the Senate. It in effect provided that the President of the United States should be the President of the Pacific Railroad. He was to let out contracts, determine the route, the gauge, and to have control of the disbursing of the money: in short, he was to have not only the power which Congress ought to exercise, but the power of the President of the United States and the power of the President of a railroad-company besides. What party was prepared to relinquish the legislative power and transfer it to the Executive? Was it the Whig party, which was organized solely upon the idea of resisting Executive patronage? Was it the Democratic party, whose fundamental maxim was to preserve all the power it could, compatible with good government, in the hands of the States and the people, and which has been ever scrupulous in insisting upon the proper distribution of power between the Executive, Judicial, and Legislative Departments? Senator Hunter thought that even centralized France would hesitate to bestow such powers upon its emperor. He would never consent to vest such power in the President.

In 1854, Senator Hunter regarded the Kansas-Nebraska Bill as "a great measure of peace" and of "national strength," and complimented Senator Douglas upon having "manfully taken upon himself the responsibility of introducing" it. His views on the bill, and his reasons for supporting it, may be succinctly stated in his own words.

The bill provides that the Legislatures of these Territories shall have power to legislate over all rightful subjects of legislation, consistently with the Constitution. And if they should assume powers which are thought to be inconsistent with the Constitution, the courts will decide that question whenever it may be raised. There is a difference of opinion among the friends

of this measure as to the extent of the limits which the Constitution imposes upon the Territorial Legislatures. This bill proposes to leave these differences to the decision of the courts. This mode of settlement was once before proposed by the celebrated Compromise of the Senator from Delaware, (Mr. Clayton,)—a measure which, Senator Hunter thought, was the best compromise which was offered upon this subject of slavery; and he was now perfectly willing to abide by it.

The protracted discussions in Congress and the press, however, resulted in the removal of many of the misconceptions and misrepresentations made by the Abolitionists as to the true character of the measure; and the bill finally passed, after one of the most arduous contests in our political history. Mr. Hunter supported this measure by his speech and his vote, upon the ground that justice to the South required the repeal of the Missouri restriction. During this and the succeeding session, he took his customary part in laborious attention to the business of the Senate, and, among other subjects, spoke upon the bills to increase the efficiency of the army and navy, and to establish a court to investigate claims against the United States Government.

In 1855, during the great campaign in Virginia, Senator Hunter made one of the very ablest speeches against "Know-Nothingism." He considered the dogmas of the new party, so far as known, dangerous and mischievous. "They propose," he said, "to destroy the liberty of conscience itself, by proscribing the members of the Roman Catholic religion from all offices, whether high or low." He warned Virginia against "the blandishments of this new seducer." Far up on the Missouri, near Fort Benton, upon a high cliff, which commands an extensive view of the surrounding country, it is said that a Blackfoot Indian chief directed himself to be buried on horseback, with his face turned toward the mouth of the stream, to look out, as he said, for the white man—the destroyer of his race—when he should come up the river. "If you," said Hunter, "would look out for the destroyer of your free institutions and popular form of government, fix your eye upon the door of the secret political association: from that door the worst enemy

of all will come." In an historical and political point of view, this speech was a splendid effort.*

The discussions upon Kansas during the Thirty-Fourth Congress were varied somewhat by speeches on the Presidential issues. At the session of 1856-57, Senator Hunter took a leading part in the passage of the Tariff Bill known as that of 1857.

In 1858, the Senator from Virginia was in favor of the admission of Kansas under the Lecompton Constitution, and in a brief but lucid argument discussed the merits of the pending question in connection with the general relations and destiny of slavery. After rapidly reviewing the events which resulted in the Lecompton instrument, he classed the objectors to it under two heads,—the one denying the legality of all the steps which had led to its formation, the other questioning its validity on the ground that it had not been framed under the sanction of an enabling act and had not been submitted to popular ratification in its entirety.

To the first he replied by arguing that, even if it were true that Missourians had usurped the first Legislature of Kansas, it would still remain an incontestable fact that the Government thus established was the only one under which the people of that Territory had been organized as a political community, and therefore was at least a Government *de facto*, entitled to recognition by Congress. To the second he replied by denying the necessity, or even expediency, of enabling acts, whose only effect was to pledge in advance the assent of Congress to the admission of a State. The argument directed against the Lecompton Constitution, on the ground that it had not been ratified by the people in mass, was based upon a negation of the principles of representative government, and, if carried out to its legitimate consequences, would be as impracticable in fact as it was unsound in theory.

He defended the substitute of the Conference Committee, and earnestly invoked the Senate to adopt it, as its passage would at least bring a truce to the pending sectional agitation, which he hoped would result in a permanent peace.

Senator Hunter's position on the Finance Committee forces

* It may be seen in Hambleton's "Collection of Virginia Politics in 1855."

upon him the consideration of the important questions touching the Tariff and Finances, and makes him familiar with the working of the great springs by which the Government is moved. Upon him devolves the always arduous labor of carrying the Appropriation Bills through the Senate, which he does with a directness, persistency, and patience which make him almost invincible. In every Congress in which he occupied the position of chairman on that committee, he has taken the lead on all subjects affecting the revenue and its expenditure, and has ever been in favor of keeping the latter within judicious bounds. In introducing and advocating the Fifteen-Million Loan Bill, in May, 1858, he defended his position in an elaborate speech, showing the Government necessities which called for the loan, and the considerations which induced the hope that it would meet the existing exigencies. A glance at his extended argument on the question of Tariff revision—February 14, 1859—will present Senator Hunter's views on that question.

Believing the pending issue to be one between the friends of low taxation and reduced expenditures, on the one hand, and the friends of high taxation and profuse expenditures, on the other, he sided at once with the former. The part he had borne in the enactment of the present Tariff was his apology for vindicating it against the charge of having disappointed the expectations of its framers. At the time of its passage, it was thought that a revenue of fifty millions was ample to meet the necessary expenditures of the Government. He thought so still, and believed that the present Tariff would raise that sum. If our expenditures were to be continued at the present rate of eighty millions, neither the Tariff of 1846 nor that of 1842 would suffice to produce a revenue adequate to defray them. Reviewing the working of our postal system, he invoked Congress to check its extravagance, and restrain the discretionary power now in the hands of the Postmaster-General, who had under his control a vast machine, worked by agents more numerous than the *personnel* composing the army and navy of the whole country. He thought, moreover, that the rates of postage on letters, and especially on printed matter, should be increased. He analyzed the relative

working and effect of specific and ad valorem duties, and gave the preference to the latter on every consideration of theoretical propriety and practical wisdom, closing with an eloquent tribute to the dignity of the American laborer, whose interests he sought to promote by cheapening the necessaries of daily life as well as the implements of daily toil. He desired to secure to honest industry its full reward, as a preservative against those vagrant schemes of territorial acquisition which seemed to render the American as fierce and as exacting as the Phœnician or the viking, who scrupled not to employ artifice and force in order to enlarge their landed possessions.

A third time Virginia has sent him to the United States Senate.

Besides his efforts in that body, he has occasionally addressed societies of a literary and political nature on appropriate subjects. In the Buchanan canvass he made a famous speech at Poughkeepsie, New York. Among his other efforts, a discourse delivered before the Virginia Historical Society on the history of his native State, in December, 1854, and the oration at the inauguration of the Washington statue in Richmond, February 22, 1858, are particularly noticeable. The latter is a noble production, and was at the time characterized as "almost miraculous," being "on a threadbare topic, and one which seemingly had been utterly exhausted by the orator of Massachusetts." (Everett.) The same writer,* contrasting his appearance with his ability, says, "But any man who reads Hunter's speeches would declare that he adds to the scholastic learning of Everett the Cabinet genius of Hamilton and the philosophic scope of Madison. Hunter has this decisive mark of a great man:—he is always adequate to the occasion." His personal appearance, and the strength of almost indolent repose characteristic of his look, are well described by another hand, thus:—"I should imagine the blood of Pocahontas enriched the veins of Hunter; for his complexion, though faded, is tinted with the warm coloring of the native race. He is of middle size, solidly built, and black-haired. His features are neither prominent nor expressive, though his

* In the "New Orleans Crescent."

nose is slightly—very slightly—aquiline. His physique would attract no inspection in public from either sex; and his quietness of demeanor on the floor of the Senate would not designate to the stranger the leading Senator of Virginia and the triarch of the Slavery party in Congress. The pervading expression of his countenance is that of exhaustion, repose, indolence, indifference. But his ordinary apathy and immobility give the measure of his force on extraordinary occasions. It requires a strong impulse to move him; but when the motive power is adequate his momentum is great."

ANDREW JOHNSON,

OF TENNESSEE.

ANDREW JOHNSON was born at Raleigh, North Carolina, on the 29th of December, 1808. His father died from exhaustion after saving Colonel Thomas Henderson, editor of the "Raleigh Gazette," from drowning, leaving his son on the world while yet under the age of five years. The want of pecuniary means on the part of his parents prevented him from receiving the benefit of even the rudiments of an English education. At the time of his father's death he could neither read nor write, and the necessity of bread then put it out of his power to go to school. All his energies were needed, and a trade was his only resource. The boy was therefore apprenticed to a tailor in Raleigh, with whom he worked until the term of his indentures expired. We next find him as a journeyman at work in the vicinity of Lawrence Courthouse, South Carolina. Several romantic stories are afloat of his falling in love here with an estimable young lady. The cause of his non-success and passionate flight from the town—away from cold hearts and the pitying smiles which his sensitiveness could brook less patiently than open sneers—was his being a stranger, and the want of pecuniary means. He returned to Raleigh in the spring of 1826; and in the fall of that year, taking his mother and stepfather with him, he bent his steps toward Greenville, Tennessee, where he stopped and counted his eighteenth year.

His good star had led him thither. In Greenville the youth found a wife who became his Egeria. What material for the romancist might be found in the history of those days of the future Senator, when his wife, fondly leaning by the side of the youth who was earning bread for her, taught him to read, and decked with the fair flowers of a healthy education the hitherto neglected garden of his brain! What a group! what a study!—

the youth's fingers mechanically plying the needle, his brain alive, following the instructions of his wife-teacher, or with a bright, almost childish, satisfaction meeting her approval of his correct answers! After work-hours she taught him to write. What a living, ennobling romance was there being enacted in the wilds of Tennessee thirty years ago! But we must hurry over this chapter of our hero's history with a mere suggestive sentence. Young Johnson and his wife started "out West to seek their fortune," but at the earnest solicitation of a good friend—still living, I believe—he was induced to return. He worked at his trade with great industry and attention, extending, meanwhile, the advantages which his capacity for knowledge presented. The shop-board was the school where he received the rudiments of his education, which he afterwards, in leisure moments and in the deep silence of the midnight hours, applied to the attainment of a more perfect system.

The disadvantages of his position would have discouraged almost any other man, certainly with any other kind of a wife. But, cheered by his excellent companion and prompted by his own desire for self-improvement, young Johnson brought an energy to the difficulties before him which nothing could repress or conquer. It is not a matter of surprise that he was hostile to every proposition that would give power to the few at the expense of the many; that his hard and yet bright experiences made him the exponent of the wants and power of the working-class. He soon gave voice to the feelings of the working-men in Greenville. He made them conscious of their strength and feel proud of it, in opposition to the aristocratic coterie which had until then ruled the community, so that no man who worked for his livelihood could be elected even an alderman. Johnson, with the dawning vision of intellect and self-reliance, saw that all this was wrong, and he determined, with the aid of his fellow-workers, to right it. Meetings were held in every part of the town, and the result was the election of the young tailor to the office of alderman by a triumphant majority. How proud must the good wife have felt!

His triumph over the aristocracy took place in 1830. From time to time Mr. Johnson was re-elected, and, whenever he would consent to act, was chosen by the board as mayor. Invi-

gorated by success, the working-men became a power, and the old parties, wearying of the strife, admitted the representatives of the mechanics to their proper share of influence in the Councils. The reforms thus initiated by Mr. Johnson are apparent in admirable results in Greenville to this day. Office now waited upon him. He was soon elected by the County Court a trustee of Rhea Academy, and held the office until he entered the lower House of the State Legislature. In 1834, Mr. Johnson exerted himself influentially to secure the adoption of the new Constitution,—an instrument which greatly enlarged the liberties of the masses and guaranteed the freedom of speech and of the press. In 1835, he was elected to the Legislature from Washington and Greene Counties, and at once became prominent by his opposition to a vast scheme of internal improvements, which was projected and carried into a law without the knowledge or approbation of the people. Before the evil results of the measure were manifest, Mr. Johnson was defeated for the next Legislature; but, his prognostications having been fulfilled, he was returned in 1839, after a fierce and bitter contest. Mr. Johnson is no enemy to internal improvement upon a fair basis; but the law he so energetically opposed he regarded as a system of wholesale fraud.

In the famous Presidential campaign of 1840 between Harrison and Van Buren, Mr. Johnson took an active part, being chosen, in consequence of his telling power as a speaker, to canvass Eastern Tennessee in favor of the Democratic candidate. In 1841, he was elected to the State Senate from Hawkins and Greene Counties by a majority of two thousand, and, during his term of service, brought forward judicious measures of internal improvements in the eastern division of the State. In 1843, he was nominated for Congress from the First District, embracing seven counties. He was opposed by Colonel John A. Asken, a United States Bank Democrat, and a gentleman of talent and eloquence. Johnson was elected, and took his seat in the National House of Representatives in December, 1843.

His debut in Congress was a brief but forcible argument in support of the resolution to restore the fine imposed upon General Jackson for having placed New Orleans under martial law. He followed this up by a reply to John Quincy Adams on the right of petition, which was characterized as a highly creditable effort,

and by an argument on the Tariff, in which he enforced the Democratic doctrine that it was a departure from the principles of justice and equality to tax the many for the benefit of the few, under the plea of protecting American labor, as was done by the Tariff of 1842. He insisted upon it that, while Congress was consulting the interests of the manufacturer, it had no right to forget or neglect those of the farmer and planter, as high-protectionists were notoriously too apt to do, and replied to Mr. Andrew Stewart, of Pennsylvania, by a series of circumstantial details showing that so far as protection applies to protecting mechanics proper, there is no reality in it; for if all are protected alike, the protection paralyzes itself, and results in no protection at all. "Protection operates"—said he—"beneficially to none, except those who can manufacture in large quantities, and vend their manufactured articles beyond the limits of the immediate manufacturing sphere."

At the second session of the Twenty-Eighth Congress, Mr. Johnson warmly co-operated with the friends of Texan Annexation, and on the 21st of January, 1845, delivered an able speech on the subject. One of the Ohio delegation having alluded to General Jackson in an uncalled-for manner, Mr. Johnson gallantly defended the character of Jackson—then living in retirement in the forests of Tennessee—from the unkind allusions, which seemed to him strange coming from the quarter whence they had emanated. In the course of the exciting debate upon the annexation of Texas, Mr. Clingman intimated that British gold had been used to carry the election of Polk. Mr. Johnson denounced the suggestion as a vile slander, without the shadow of a foundation, and called on the gentleman from North Carolina for his proof, relying on the fact that if there were no authority for the assertion, it was a slander. In the course of Mr. Clingman's remarks, he said that "had the foreign Catholics been divided in the late election, as other sects and classes generally were, Mr. Clay would have carried, by a large majority, the State of New York, as also the States of Pennsylvania, Louisiana, and probably some others in the Northwest." There were but few Catholics in Mr. Johnson's district, and he was not called upon to do battle with the prejudices that might or did exist against them; but he protested against the doctrine advanced by Mr. Clingman.

He wished to know if the latter desired to arouse a spirit of persecution,—to sweep away or divide all those who dared to differ from the Whig party. “But, for the purpose of showing the country how ignorant the gentleman was of the fact, and how reckless he was in bold statements, he would read from a pamphlet he held in his hand, which was written by a Whig in the city of Nashville, Tennessee, and dedicated to the Hon. John Bell, a late member of General Harrison’s Cabinet, which shows conclusively that the Whig party had the benefit of the Catholic influence in the late Presidential contest. The charge had been made, in his section of the country, that the Catholics were all Democrats; and he now availed himself (as the door had been opened) of the opportunity of setting this matter right upon good Whig authority.”

Alluding to the great capabilities of Texas, he thought it probable that it would “prove to be the gateway out of which the sable sons of Africa are to pass from bondage to freedom and become merged in a population congenial with themselves.” The annexation would give the Union all the valuable cotton soil, or nearly so, upon the habitable globe. Cotton was destined to clothe more human beings than any other article that had ever been discovered. The factories of England would be compelled to stand still, were it not for cotton. Without it, her operatives would starve in the street, and, if this Government had the command of the raw material, it was the same as putting Great Britain under bonds to keep the peace for all time to come. He was willing—when he glanced at the historic page giving an account of their rise and progress, the privations they had undergone, the money and toil they had expended, the valor and patriotism they had displayed—to extend to the Texans the right hand of fellowship.

In the summer of 1845, Mr. Johnson was re-elected to the House of Representatives. The Twenty-Ninth Congress was for several reasons one of the most important in our political history. A bitter contention was going on between this country and Great Britain in regard to the line which divided the possessions of the two countries in Oregon. Upon this question, Mr. Johnson assumed a decided position, maintaining our right to the line of $54^{\circ} 40'$, yet insisting that the real contest was for the

territory between 46° and 49°, as that embraced the Columbia River, which Great Britain was anxious to acquire on account of the invaluable advantages it afforded for both military and commercial purposes. To pursue a different course would, in his opinion, be abandoning the substance and running after the shadow. He therefore sustained President Polk in his adjustment of the question.

In this session, Mr. Johnson denounced, as oppressive, the proposed contingent tax of ten per cent. on tea and coffee, laying it down as a fundamental principle that the expenses of the Government—especially those incurred in time of war—should be defrayed by those who enjoyed the largest share of its protection. He thought it a monstrous injustice that the poor man should not only shed his blood in defence of the rights and honor of his country, but also be overburdened with taxes. Having aided in demolishing the proposed tax, he introduced and carried through a bill providing a tax to a certain amount of percentage upon all bank, State, and Government stock, and other capital. In the debate on the River and Harbor Improvement Bill of the same session, he took general grounds against the insane policy of indiscriminate expenditure of public money for internal improvement of an entirely local nature. In the second session, he supported with great ability the raising of men and money for the prosecution of the war with Mexico.

In 1847, Mr. Johnson was re-elected to Congress by an overwhelming majority. At this time he made an exceedingly able and eloquent argument in favor of the veto power. Apart even from its political bearing, this speech was interesting. He gave an historical outline of the veto power, which runs back to the times of the Roman Republic,—the Tribunes of the people having had the right to approve or disapprove any law passed by the Senate, inscribing upon the parchment, in case they resolved to adopt the latter alternative, the word “veto.” He traced this power, through the various stages of its progress, from the days of Augustus, and showed that since the establishment of this Government to the time at which he spoke, the veto power had been exercised twenty-five times: thus:—by Washington, twice; by Madison, six times; by Monroe, once; by Jackson, nine times; by Tyler, four times; by Polk, thrice. In this session also he

continued his advocacy of the Mexican War, in opposition to those who denounced it as unconstitutional and unjust.

Mr. Johnson was the prime mover in Congress of the Homestead Bill;—to give to every man who is the head of a family, and a citizen of the United States, a homestead of one hundred and sixty acres of land out of the public domain, upon the condition that he should occupy and cultivate the same for five years. As early as 1847 he commenced the agitation of this question, and has been the forcible and untiring advocate of it, not only in the Capitol, but everywhere, and on every occasion.

Mr. Johnson was a member of Congress from the Twenty-Eighth to the Thirty-Second sessions. During all this period, he labored as few men have ever labored, to improve the condition of the people. He can look back upon his Congressional career as one devoted to the service of his country and of humanity.

At the outset of his Congressional career, it was predicted that his ultra notions would bury him fathom-deep, and that he would go back to Tennessee and prey upon a broken heart till carried to his grave. But, as John W. Forney truly observes, "any one who gazed into his dark eyes, and perused his pale face, would have seen *there* an unquenchable spirit and an almost fanatic obstinacy that spoke another language." In 1853, he was elected Governor of the State of Tennessee, and on the 17th of October of that year, delivered his inaugural address. This document has been severely censured "not only by the conservative statesmen of this country, but by the aristocratic press of England and France;" but the "Western Democratic Review" liked it better than almost any thing else from Governor Johnson's pen. He was re-elected in 1855, and served as Governor until the fall of 1857, when he was elected to the United States Senate for the term which ends in 1863.

In April, 1855, Governor Johnson made a very able speech at Murfreesborough, Tennessee, against "Know-Nothingism," in the course of which he said,—

"The 'Know-Nothings' were opposed to the Catholic religion because it was of foreign origin and many of its members in this country were foreigners also. He said that if it was a valid objection to tolerating the Catholic religion in this country because it was of foreign origin and many of its members were foreigners, we would be compelled to expel

most of the other religions of the country for the same reason. Who, he asked, was John Wesley, and where did the Methodist religion have its origin? It was in old England, and John Wesley was an Englishman. But, if John Wesley were alive to-day, and here in this country, Know-Nothingism would drive him and his religion back to England, whence they came, because they were foreign. Who, he asked, was John Calvin, and where did Calvinism take its rise? Was it not Geneva? And were Calvin alive, this new order would send him and his doctrines back whence they came. Who, he asked, was Roger Williams? And would not Roger Williams and the Baptists share the same fate? And so with Martin Luther, the great Reformer. He would have been subjected to the same proscriptive test."

In the Thirty-Fifth Congress, Senator Johnson was prominent in his advocacy of his favorite project,—the Homestead Bill,—and on other leading domestic and financial questions of the day. He offered a substitute for the Army Bill, reported by the Military Committee,—proposing to employ a force of four thousand volunteers, who should be engaged for the specific purpose of quelling the rebellion in Utah, and who should be disbanded at the completion of the campaign. He protested against the existence of standing armies; and the time, in his opinion, was most inopportune to propose any permanent addition to the military establishment. Instead of increasing we should seek to curtail expenditure. The Democratic party was held responsible for any extravagance; and these appropriations had already increased to an alarming extent, and greatly beyond the proportion demanded by the increasing expansion of the country. If our expenses should increase according to the ratio which had hitherto prevailed, the amount required for the ordinary purposes of the Government, in 1860, would be one hundred and twenty-five millions of dollars. Since the organization of the Government, the appropriations made for its support had amounted to thirteen hundred and thirteen millions of dollars, of which eight hundred and sixty-seven millions had been applied to the maintenance of the army and navy of the United States, leaving only four hundred and forty-six millions for all other objects. He was opposed to further progress in this direction, and warned the Democracy of the danger to which their political ascendancy would be exposed by a persistence in this path of extravagance.

On January 4, 1859, Senator Johnson introduced a resolu-

tion of scrutiny into the expenses of the Government in all its Departments, which led to a lengthy and spirited debate between Senators Hunter, Fessenden, Toombs, Shields, Mason, Stuart, and others, and which was continued at other periods, resulting in the reference—on motion of Senator Gwin, January 17—of the whole subject to a select committee. On the 25th of the same month, Senator Johnson, in a speech of great length, opposed the adoption of any bill having for its object to aid in the construction of a railroad to the Pacific. He denied the constitutional power of Congress to co-operate in such a work, which, he thought, should be left to private enterprise. He then proceeded to discuss the political aspects of the present times, which witnessed, he thought, a serious departure from the maxims of the Constitution and the wise precepts of the fathers and founders of the Republic. In this degeneracy the Democratic party had shared; and he could not recognise the right of its Presidential Conventions to expound periodically, beyond all appeal, the tenets which constituted a true Democrat. As to the Union of the States, he was not one of those who sang pæans in its praise, because he was one of those who believed that the Union had never yet been, and was not likely ever to be, in any danger.

On the Slavery question, Senator Johnson's position is—as he stated in 1849—"that Congress has no power to interfere with the subject of slavery; that it is an institution local in its character, and peculiar to the States where it exists; and no other power has the right to control it." In 1850, he introduced into the House, before the bills embracing the Compromise measures were reported to the Senate, a series of resolutions containing substantially the same provisions, and requiring, among other things, the Committee on Territories to report a bill providing for "a more efficient mode for the recapture and return of fugitive slaves to the slave States." On the 9th of June, 1850, while his resolutions were under discussion, he trusted that Whigs and Democrats, the reflecting and patriotic of all sides, would—in view of the amount of public prosperity, tranquillity, and happiness, as well as the great value of property, involved in the adjustment of the pending difficulties—feel that the preservation of the Union was paramount to all other considerations. "I be-

lieve," said Mr. Johnson, "that slavery has its foundation and will find its perpetuity in the Union, and the Union its continuance by a non-interference with the institution of slavery." He voted for the Compromise measures, and supported, in like manner, the Lecompton side of the Kansas question in 1858.

In December, 1859, Senator Johnson made a speech on Senator Mason's "Harper's Ferry Resolution," in which he replied to Senators Seward, Trumbull, and Doolittle. He showed conclusively the fallacy of the doctrine contended for by the Republican party in regard to the equality of the white and black races. He also showed, in a clear and satisfactory manner, that there was no conflict between the free-labor of the North and the slave-labor of the South,—that they were in fact fortunate ingredients and operated as mutual benefits to each other, and, if let alone, would move on harmoniously, and in the end carry out and develop the great design of our fathers who framed the Constitution and fulfil our important destiny.

A friend who served with him in the Legislature, messed with him, and knew him intimately, writes, that "Johnson is bold and indomitable. His distinguishing characteristic is energy. He tires at nothing; and if he cannot succeed one way he tries another, and another, until he accomplishes his purposes. He is rather slow and circumspect in taking his positions; but when taken nothing can drive him from them. . . . He seldom fights his battles through his friends, but relies mainly upon his own fearless energy to carry him through; and it is never found wanting. As a citizen, he is a quiet, orderly, not to say diffident, gentleman. He is a warm friend and a bitter enemy. Emphatically of the people himself, he is the people's friend in public and private life. His best efforts, throughout his whole life, have been to ameliorate their condition; and every sympathy of his heart, I am certain, is with them."

JOSEPH LANE,

OF OREGON.

JOSEPH LANE, the second son of John Lane and Elizabeth Street, was born in North Carolina, on the 14th of December, 1801. In 1804, the father emigrated to Kentucky and settled in Henderson County. He had the benefit of having sprung from Revolutionary stock, and, if he learned little else, imbibed many stirring lessons of patriotism and its glorious results from the elders who surrounded the hearthstone of his boyhood. At an early age he shifted for himself, and entered the employ of Nathaniel Hart, Clerk of the County Court. In 1816, he went into Warwick County, Indiana, became a clerk in a mercantile house, married, in 1820, a young girl of French and Irish extraction, and settled on the banks of the Ohio, in Vanderburg County.

Young Lane soon became the man of the people among whom he had cast his lot. In 1822, then barely eligible, he was elected to the Indiana Legislature, and took his seat, to the astonishment of many older worthies. Hon. Oliver H. Smith, a new member likewise, and since a United States Senator from 1837 to 1843, describes, in a work recently published, the appearance of Lane on the occasion. "The roll-calling progressed as I stood by the side of the clerk. 'The county of Vanderburg and Warwick!' said the clerk. I saw advancing a slender, freckle-faced boy, in appearance eighteen or twenty years of age. I marked his step as he came up to my side, and have often noticed his air since: it was General Joseph Lane, of Mexican and Oregon fame in after-years."

On the Ohio, Lane became extremely popular as a good neighbor and a man of enlarged hospitality. Near his dwelling, the river has a bar, which never fails at low-water to detain a small fleet of boats. Lane's farm-house had ever its doors open;

an invitation was extended to all to come and help themselves, the host never consenting to receive remuneration, though hundreds have partaken of his store. Any boatman on the river, says a reliable informant, felt himself at liberty to take any of his boats for temporary use, without asking. Such was Joseph Lane on his homestead. Acquaintance with river-life made him a good pilot of the Ohio and Mississippi Rivers,—which gained him an additional meed of respect from the “rivermen.”

As farmer, produce-dealer, and legislator, many years rolled over his head,—every year adding to his popularity as a man, both in his private and public capacity. He was frequently re-elected by the people, and continued to serve them, at short intervals, in either branch of the Legislature, for a period of twenty-four years.

Mr. Lane was a fearless legislator, always acting from a conscientious belief in the truth of his views, and following them up with spirit and undeviating vigilance. Those who are best acquainted with this portion of his career delight to dwell upon the zeal and tenacity with which he upheld the trusts confided to him and denounced the wrongs which threatened to thwart his designs for good. He is, however, a man of deeds rather than words,—though he does not lack the power to express his views clearly and forcibly.

Never in favor of expediency, he was always for what seemed right to him. When it was thought that Indiana, overburdened with debt, would be compelled to repudiate, the prospect of the disgrace which would thereby result to the State aroused all his indignant energies. He would not hear of such a thing. He felt it would be a disgrace to him, as a working-man with the will and the strength to labor, to repudiate a debt. What was it, then, to a State of which he was one of the representatives? He toiled untiringly to avert it, and had the satisfaction of seeing his efforts successful.

A gentleman who served in the Legislature of Indiana during a portion of the time referred to has given me several anecdotes illustrating the moral courage, the strong sense of justice, and the love of fair play, which have ever characterized General Lane's conduct in all the relations of life, public or private.

“While some men,” he writes, “espouse the cause of truth more through accident, or the force of circumstances, than from an innate love of justice for justice’s sake, Lane’s mind was so happily constituted that it was almost impossible for him to err in reference to any question which had a right and a wrong side to it. At the time of which I speak, there had assembled a large Democratic Convention in the State Capitol of Indiana; and among other subjects claiming the consideration of the delegates in that body was the propriety of subjecting the nomination of two Judges of the Supreme Court to the test of a *party* nomination. The offices were filled—and ably filled—by Charles Dewey and Jeremiah Sullivan; and General Lane, though a strong party man, opposed, with his accustomed earnestness, the attempt to bring the Judiciary of the State within the vortex of party, or to make the politics of either the incumbents or the aspirants a test of party action. Judge Dewey was a gentleman of fine education, of great legal ability, and, in the discharge of the duties of his high trust, held the scales of justice with so even a hand that not a word could be said against him, except that his political proclivities were of the Whig school. Judge Sullivan, though not so able as a jurist, was far above mediocrity, and challenged universal respect by his amiable character and spotless integrity. Among the delegates in the Convention from Floyd County was a young gentleman who was born, raised, and educated in the State of New York, and who, having resided only a year in the State of his adoption, could not, in view of the political dogmas of the Tammany school, see the propriety of tolerating a Whig official of any kind while a Democrat could be found able and willing to fill his place. No sooner had this young man (now the able Governor of the State) commenced advocating his peculiar views in the Convention, than the majority of that body, to whom he was a total stranger, positively refused to give him even a hearing, and, by shouts and all sorts of noises, drowned his voice every time he attempted to advance his (to them) distasteful and unpalatable notions. Colonel Lane, though foremost among those who favored the reappointment of the old judges, became indignant at this treatment of the young delegate, and made several ineffectual attempts to command for him a hearing. Losing all patience with what he considered the

injustice of the majority, he at length mounted a table, and, addressing the presiding officer, remarked that no member of the Convention was more radically opposed to the views of the young gentleman from Floyd County than himself; but, as he came there clothed with the power and authority to represent a portion of the people of Indiana, he insisted, in justice to his constituents if not to himself, that the courtesy of a hearing should be given to him. As an advocate of the right of free discussion, he, for one, could not, by his silence, acquiesce in applying the gag to any member of that body; and therefore, until the delegate from Floyd was heard, he pledged himself to oppose, with all his energies, the transaction of any other business. Claiming to be the friends of liberty and of right, it would, he continued, inflict indelible disgrace upon the Convention to stifle, by brute force or riotous clamor, the opinions of the humblest member of the body, merely because they were different from those entertained by the majority. Such was the emphatic and earnest manner of the colonel's delivery, and such the justice and the noble spirit of his views, that the young delegate was finally, by common consent, permitted to proceed until he had finished his speech.

"This imperfect sketch can give but a faint idea of the moral grandeur of the scene, which neither time nor distance can efface from the memories of those who witnessed it."

In politics General Lane has always been of the Jefferson and Jackson school. Possessing a strong intellect, and a memory retentive of facts and quick to use them, he has become thoroughly acquainted with the history and politics of the country. Mr. Yulee well observes, "He has written with his plough and sword, and spoken by his deeds; and, though unused to the ornaments of rhetoric and literature, he is, nevertheless, powerful in debate, and especially well qualified in political and Presidential conflicts on the stump to overwhelm the opponents of Democracy." He supported Jackson in 1824, '28, and '32, gave his voice and energies for Van Buren, in 1836 and '40, "as long as the latter followed 'in the footsteps of his illustrious predecessor,'" and went for Polk in 1844. His activity and earnestness were contagious, and could not but infuse into those about him, and into the public men of the State generally, the spirit which had led him to so honorable a prominence.

In the spring of 1846, the war commenced between the United States and Mexico, and a call was made upon Indiana for volunteers. Lane, then a member of the State Senate, immediately resigned, and entered Captain Walker's company as a private. He chose Walker as his commander, having a high opinion of his bravery,—an opinion which that gallant officer's conduct and death at Buena Vista completely justified. When the regiment met at the rendezvous,—New Albany,—Joseph Lane was taken from the ranks by the unanimous voice of the men, and placed at the head as colonel; and in a very few days afterward he received—unsought and unexpected by him—a commission from President Polk as brigadier-general. On the 9th of July he wrote a letter of acceptance, and entered on the command of the three regiments forming his brigade. Two weeks after, (24th of July,) he was at the Brazos, with all his men, and concluded the report announcing his arrival to General Taylor in these words:—"The brigade I have the honor to command is generally in good health and fine spirits, anxious to engage in active service." On the 20th of August, he wrote to Major-General Butler, claiming active service. His brigade did not relish being left in the rear to garrison towns or to guard provisions and military stores, while the regular army, and the volunteers already ordered on to Camargo, would have the honor of being actively engaged. "It was understood," wrote Lane, "when we arrived at the Brazos, that the regiments of volunteers would be moved on toward the enemy in the order in which they arrived. Such orders have been observed, with two exceptions, both operating to the prejudice of this brigade," &c.

Lane had an idea that the Indiana men were raised to do some fighting, and he was impatient of delay. The second day after his letter to Butler, he wrote again to General Taylor, complaining of the advance of troops out of their order of precedence. Without being disrespectful, he demanded for his command a share in the dangers and honors of the active service. He requested that, if the *whole* volunteer corps was not needed on the scene of action, a *part* of each State's troops be selected. Despite his anxiety to go on, he had to remain several months, in a most irksome mood, on the swampy banks of the Rio Grande, where his troops, suffering under the sweltering sun, were deci-

mated by the pestilential diseases of the climate. He was almost the only man of the brigade who was not prostrated at some time.

At length he was ordered to Saltillo, and was made civil and military commandant of that post by Major-General Butler. Here he established a vigilant police, protecting life and property, and built a strong fortification to provide against the threatened descent by Santa Anna. It was owing to the watchful care of his confidential scouts and spies, secured by liberal pay out of his own pocket, that he was enabled to communicate the first intelligence of the capture of Major Gaines's command. While in command at Saltillo, General Lane personally visited each picket-guard nightly, thus presenting to his men a fruitful example of vigilance. After the battle of Monterey, Lane was ordered to join General Taylor.

The famous battle of Buena Vista was fought on the 22d and 23d of February, 1847. General Lane was third in command, and served on the left wing. From the beginning to the end he was in the hottest of the fight. On the morning of the 23d, Lane had the honor of opening the continuation of the battle, on the plain, where he was attacked by a force of from four to five thousand infantry, artillery, and lancers, under General Ampudia. At this crisis, Lane's force was reduced to four hundred men; and with this phalanx he received the Mexican onset. "Nothing," writes an eye-witness, "could exceed the imposing and fearful appearance of the torrent of assailants which at this moment swept along toward the little band of Lane. The long lines of infantry presented a continued and unbroken sheet of fire. But their opponents, though few in number, were undismayed, and defended their position with a gallantry worthy of the highest praise. Several times I observed the Mexican lines, galled by the American musketry and shattered by the fearful discharges from O'Brien's battery, break and fall back; but their successive formations beyond the ridge enabled them to force the men back to their position and quickly replace those who were slain." All the printed authorities on this great fight, as well as parties who served with the gallant brigadier from Indiana, unite in extolling his conduct in glowing terms.

As Lane commenced the fight on the 23d, so was he in "at

the death." The Illinois and Kentucky regiments, suffering sorely, were falling back under a terrible charge by the collected infantry of Santa Anna, when Lane, though wounded, came up with the Indiana men, and with the Mississippi regiment, under Colonel Jefferson Davis, opened a destructive fire upon the Mexicans, checked their advance, and enabled the retreating regiments to form and return to the contest. Failing to pierce the American centre, Santa Anna retired from the field.

In this battle, where all were heroes, it is the more honorable to find Lane, with four or five others, particularly noticed. Here is a picture of him :—"When the grape and musket-shot flew as thick as hail over and through the lines of our volunteers, who began to waver before the fiery storm, their brave general could be seen fifty yards in advance of the line, waving his sword with an arm already shattered by a musket-ball, streaming with blood, and mounted on a noble charger, which was gradually sinking under the loss of blood from five distinct wounds. A brave sight indeed was this!"*

Major-General Wool, writing to Lane, May 23, regrets that he is about to lose his valuable services, and testifies to his readiness to do honor to his command, his country, and himself. Again, July 7, Wool writes, "I have seen you in all situations,—at the head of your brigade in the drill, and in the great battle of the 22d and 23d of February; and in the course of my experience I have seen few, very few, who behaved with more zeal, ability, and gallantry in the hour of danger." And General Taylor, in his report, says, "Brigadier-General Lane (slightly wounded) was active and zealous throughout the day, and displayed great coolness and gallantry before the enemy."

Remaining encamped near the battle-field until June, he was ordered, with his brigade, to New Orleans, where the latter was disbanded, its term of service having expired. On his return home, public festivals at New Albany and Evansville greeted him, while his appearance everywhere commanded and elicited the most enthusiastic admiration. An order to join Taylor's line, however, allowed him but a short season of repose in the bosom of his family.

* "New Orleans Delta," May 2, 1847.

Having been transferred to General Scott's line of operations, he reached Vera Cruz with his command on the 16th of September, 1847. On the 20th, he set out for the city of Mexico, at the head of two thousand five hundred men. At Jalapa this force was increased by Major Lally's column of one thousand men, and at Perote by a company of mounted riflemen, two of volunteer infantry, and two pieces of artillery. At this time Colonel Childs, of the regular army, was besieged in Puebla by a large force under Santa Anna. Childs, knowing the importance of the post, nobly held out; and his officers and soldiers, animated by a like spirit, exhibited the most heroic fortitude under numerous privations. They knew that to gain time was to gain victory; for Lane was marching to their relief. Santa Anna, also aware of Lane's approach, used every exertion to carry the place by storm. Failing in this, he cautiously withdrew the main body of his troops toward Huamantla, intending to attack General Lane in the rear when he had passed that point, while another force would assault him from the direction of Puebla. Lane's scouts, however, were neither deaf nor blind. He divined the Mexican's plan, and frustrated it.

Leaving his train at San Antonio Tamaris with a suitable defence, Lane marched against Huamantla with over two thousand men. On the morning of the 9th of October, the people were startled by the approach of the soldiers. White flags were immediately displayed; but no sooner had the advanced guard, under Captain Walker, entered the town, than volley after volley assailed it. A deadly combat ensued. Walker gallantly charged upon a body of five hundred lancers and two pieces of artillery on the plaza. General Lane, advancing at the head of his column, encountered the heavy reinforcement of Santa Anna, who had arrived with his full force. Soon the roar of battle resounded from street to street. For a short time the Mexicans confronted their assailants with the energy of despair; but the terrible decision of the Americans prevailed, and their flag soon waved over the treacherous town. A large quantity of ammunition was captured, and some prisoners,—one of whom was Major Iturbide, son of the former Emperor of Mexico. This was the last field on which Santa Anna appeared in arms against the

United States. For this victory Lane was brevetted major-general.

Having rejoined his train, General Lane arrived at Puebla on the 12th of October. Compelling General Rea to retire, he raised the siege. Of the besieged, Jenkins* writes, "Their emotions can be more easily conceived than expressed, when they caught sight of the glistening sabres, the flashing bayonets, and the victorious banners of General Lane, as his columns wound through the now almost deserted streets; and when his trumpets sounded their shrill notes of defiance, every man breathed freer and deeper, and felt prouder of his country, her honor, and her fame."

On the 19th, Lane was in pursuit of Rea, under a burning sun. At Santa Isabella, about thirteen miles from Puebla, he met the Mexican advance-guards. A running fight was kept up for four miles, when, discovering the enemy strongly posted on a hill within a mile and a half of Atlixco, a severe fight took place. The Mexicans were driven into the town. Not wishing to enter a strange place at night, Lane commanded the approaches and opened a telling cannonade. The *Ayuntamientos* came out and begged that the town might be spared. Lane spared it, but took and destroyed large quantities of arms and munitions. On his return to Puebla, he set out for Guexocingo, and destroyed the enemy's resources there. On the 29th he fought the first battle of Tlascala, and on the 10th of November encountered Generals Rea and Torrejon at the same place, and recaptured a train of thirty-six laden wagons belonging to merchants in Puebla and Mexico. In thanks for this service, the merchants presented a splendid sword to General Lane. On the 22d, taking with him Colonel Hays, Captain Lewis, and Lieutenant Field, with one hundred and fifty horse and one gun, Lane started to surprise Matamoras, where were collected a large amount of Mexican supplies, and one thousand men strongly posted in a fort mounted with artillery. Forming secretly, he gives the word; the mounted men are at the base of the wall: in an instant they leap from the saddle and spring upon the fort, losing but one man, and putting the Mexicans to

* See "History of the War with Mexico," by John S. Jenkins.

flight, with a loss of eighty before Lane could stay the havoc. Assuredly he did surprise Matamoras, as well as the twenty-five American prisoners he liberated therefrom. On his return, (the 24th,) the enemy, emboldened by the small number of Lane's troops, being in the ratio of about eight to one, made a stand at Galaxa. The Americans were faltering under the terrible fire, when Lane, leaping from his horse, unlimbered a gun, turned it on the enemy, and fired it with his lighted cigar. The gun, loaded with grape, checked the enemy, and, being quickly served by Lieutenants Field and McDonald, settled the affair, and our troops returned to Puebla in triumph at noon of the following day.

Lane's campaign, from the departure from Vera Cruz up to this point, was a series of brilliant movements and victories. A surgeon attached to his command wrote home, about this period, that no writers—only the soldiers—could tell with what ingenuity and bravery Lane conducted his handful of men. "I never"—he adds—"before could understand how cowards were transformed into brave men as by miracle."

Reporting himself, by order, to the commanding general on the 18th of December, at the city of Mexico, General Lane was received with marked emotion by General Scott. It was the intention of the latter to send Lane, at the head of a brigade, on a forward movement. Waiting impatiently for four weeks, Lane asked and obtained leave to take three hundred mounted men, with Hays, Polk, and Walker, and chase the guerillas under the notorious Zenobia. In this expedition he almost succeeded in capturing Santa Anna at Tehuacan. All he got of him, however, was his swords. On the 23d of January, 1848, as he marched into Orizaba—a city of twenty thousand inhabitants—at one side, the enemy marched out at the other. A large quantity of Government property was confiscated for the benefit of the United States. He next took Cordova, confiscated more property, and released a number of American prisoners. Recruiting his men at Puebla, he is wandering through the mountains in search of the enemy. On the third day he meets and disperses the command of Colonel Falcon, and, not falling in with any other detachment of the Mexicans, returns to the capi

tal on the 10th of February, having been absent but twenty-four days.

A few days after his return, he turns out again with the same brave and hardy comrades, to arrest and punish Jarauta, a noted robber-chief, who had been perpetrating such atrocities as not paying over much—or very little—respect to the person of the courier belonging to the British embassy, and other more really atrocious doings against Americans. Leaving the City of Mexico on the 17th of February, he surprised Tulancingo on the dawn of the 21st. General Paredes escaped from his bed. Jarauta, who, Lane learned, was at Tehuaplan, was a wily rogue. Lane, desiring to throw him off his guard, remained a day and a night at Tulancingo, gave out that he was returning to Mexico, set off in that direction, but about dark changed his course, and arrived at a ranch on the road to, and eighteen miles distant from, Tehuaplan in thirty-six hours after leaving Tulancingo. On the 24th he was at the former. There were one thousand lancers and guerillas under Colonel Montano and Jarauta; and, as the Americans entered Tehuaplan at sunrise of the 25th, the escopeta-balls came whistling about their heads from every house. Jenkins, in his history, p. 496, says,—

“Headed by General Lane, Colonel Hays, and Major Polk, the rangers and dragoons dashed upon the enemy, fighting their way hand to hand into the houses, cutting down every man who refused to surrender. A portion of the Mexicans rallied and formed outside the town; but a vigorous charge, led by General Lane and Colonel Hays, quickly put them to rout. Jarauta, who was wounded in the conflict, again escaped. One hundred of the enemy were killed, however, among whom were Colonel Montano, and the bosom-friend of Jarauta, Padre Martinez. A still greater number were wounded, and there were fifty taken prisoners. General Lane lost but one man killed and four wounded. Quiet was soon restored in the town after the fighting had ceased; and the Americans returned to the capital, taking with them their prisoners, and a quantity of recovered property that had been plundered from different trains.”

The battle of Tehuaplan was the last fought in Mexico. Peace was soon declared; but General Lane—who, not inappropriately, says Jenkins, was styled by his brother officers and soldiers “the Marion of the army”—remained some months directing the movements consequent upon the return of our troops. On evacuating the conquered land, Lane remarked to a

friend, "I left my plough to take the sword with a thrill of pleasure; for my country called me. I now go home to resume the plough with as sincere joy."

About the 1st of August, 1848, General Lane reached Indiana. His fellow-citizens were rejoiced to see him; but he had not time to respond to the favors extended to him, for on the 18th he—without any solicitation on his part—was appointed Governor of Oregon.* On the 28th his commission reached him, and on the next day he set out for his post. He reached Fort Leavenworth on the 4th of September and left it on the 10th, with twenty-two men, including guides, &c. This was the year in which Colonel Frémont, who followed Governor Lane in a few weeks, lost almost his entire party in the mountains. The journey to Oregon, at all times arduous, is of course peculiarly so in the winter season. After reaching the Rio Grande, through snow-storms of eight days' continuance, and when neither grass nor timber for fuel were to be had, Lane and his guide differed as to the route that should be followed. The Governor wanted to strike south; the guide insisted on keeping the old route. They parted; Governor Lane undertook to pilot himself, and his guide returned, foreboding evil. Had the Governor followed the guide's advice, the party would have met the same fate as did that of Frémont. For more than twenty days he made southward, and finally came to the Mexican village of Santa Cruz, in Sonora, where he took the regular trail. On reaching the Gila, seven men deserted, who killed two of the men that were sent back after them; and, shortly after, five others, with a corporal, deserted, fearful of starvation if they proceeded.

On the 2d of March, 1849, about six months after his departure from home, he arrived safely in Oregon City. This journey cost the Government *nothing*,—General Lane not making any charge for his expenses; besides which, he aided largely in subsisting the troops, the greater part of the time, with the product of his rifle, as he was both the pilot and the hunter for the party.†

* General Shields was appointed on the 14th of August, and declined.

† In this connection it may be stated that during the Mexican War he subsisted his troops with less cost than that of any others in the service. His treaties and "talks" with the Indians in Oregon were all conducted without expense

The Indians of Oregon—of whom there were between fifty and sixty tribes—kept the whites in a constant state of jeopardy. The progress and settlement of the Territory were greatly impeded by their depredations. In 1850, a formidable outbreak took place on Rogue River, in the southern part of Oregon. Governor Lane took the field in person, collected a force of settlers, miners, a few officers and men of the regular army, attacked the Indians at Table Rock, and, after a desperate conflict, in which he was severely wounded, drove them from their position. Following this success up with his accustomed vigor, he so severely chastised them that they were glad to accept any terms of peace. On several occasions, nothing but Governor Lane's force of character and coolness could have saved the handful of men which accompanied him on his Indian expeditions. He furnished the Department with a lengthy report, which, in Mr. Schoolcraft's opinion, is the only accurate account of the Oregon Indians. The Legislative Assembly of the Territory of Oregon passed resolutions conveying the thanks of the people, and giving their fullest approbation to his "extraordinary energy" as Superintendent of Indian Affairs. "Few"—says one of the resolutions—"could have accomplished so successfully what his kindness, integrity, and firmness have done to secure the bonds of a lasting peace with the tribes surrounding us." The Assembly also expressed their belief that while Governor he acted for the best interests of the whole people; and they regretted that upon the accession of General Taylor he was superseded. The people, however, in testimony of his worth, sent him to Congress as Delegate, in which position he remained until the admission of Oregon into the Union, when he took his seat as a United States Senator, having been previously elected to that eminence.

As Delegate from Oregon, General Lane was unremitting in his advocacy of the interests of the Territory, and untiring in his efforts for her admission into the Union. The Oregon Bill being under debate in the House on the 10th of February, 1859, Governor Lane contended that there was a population in the Territory sufficient to entitle her to admission. On the 12th, a

to Government. See pamphlet "Biography of Joseph Lane," written by "Western," (Mr. Yulee,) of which spirited publication I have made frequent use.

Massachusetts Representative having inquired whether, if Oregon should be admitted, and he, Lane, had a voice in the other end of the Capitol, would he vote to relieve Kansas of the effect of the English Bill.

Lane replied that he had not come there to make any bargain. He was an honest man; and, if he should be permitted to go into the Senate, he would exercise a sound judgment prompted by a strong desire to promote the general prosperity and welfare of the country. He hoped that his official action might be the guarantee that he would do in all matters what he believed to be right. He then proceeded to urge the admission of Oregon, briefly reviewing its history from the time of the first settlements to the formation of its Constitution. He contended that it was but an act of justice, and appealed to the House to vote down every amendment and let the vote be taken on the naked bill.

That day Oregon was admitted to the sisterhood of States, and that night the Federal City was alive with festivity in honor of the event. A band serenaded the President, Vice-President, Mr. Stephens, of Georgia, General Lane, and others. In response to a call, Governor Stevens introduced General Lane—now Senator elect from the State of Oregon—to the people. He made a brief speech, in which he said that a bulwark had been raised that day on the shores of the Pacific against foreign invaders, and a fresh assurance given of the perpetuity of the Union.

While Governor Lane was in Oregon, he was named for the Presidency by the convention assembled at Indianapolis to revise the State Constitution of Indiana. The Democratic State Convention, which met February 24, 1852, formally presented his claims for the Chief Magistracy, pledging the vote of the State to him. On his arrival in Indiana from Oregon, he had a public reception, at which, in the course of an address of welcome, Governor Wright thus briefly reviewed the career of the guest of the day:—

“He has been the artificer of his own fortunes; and, in his progress from the farmer on the banks of the Ohio and the commandant of a flat-boat to posts of honorable distinction,—to a seat in the House of Representatives and in the Senate of Indiana,—to the command of a brigade upon the fields of Buena Vista, Huamantla, and Atlixco,—to the Gover-

norship of Oregon, and thence to a seat in Congress,—he has displayed the same high characteristics, perseverance and energy. The annals of our country present no parallel for these facts. You entered the army a volunteer in the ranks, looking forward only to the career of a common soldier. You left it a major-general, closing your ardent and brilliant services in that memorable campaign by fighting its last battle and capturing the last enemy.”

I cannot better conclude this outline of Senator Lane’s brilliant public career than by quoting from a communication made to me by the gentleman already alluded to in the earlier portion of this sketch.* He writes,—

Jefferson remarked that some men were by nature so constituted as to be the worshippers of power and the fit instruments in the hands of tyrants and usurpers; while others, made of sterner stuff, are ever found the firm advocates of liberty and the inexorable haters of tyranny and oppression. To the latter class the Senator from Oregon belongs; and, if the cause of popular liberty was ever assailed, he would defend it from encroachment at all hazards.

As a consequence of the natural turn of his mind, he is not the man to be led off from the paths of duty by every wind of doctrine or by plausible theories in morals, religion, or politics. For a mind so constituted the ephemeral expedients of parties of the day have no charms; and hence it is that he is emphatically and truly a National Democrat, embracing, in the scope of his affections, the people of the whole Union, from the Capes of Florida to the Aroostook, from the shores of the Atlantic to those of the Pacific. In no instance has he ever swerved from the principles so eloquently enunciated in the Farewell Address of the Father of his Country, or dwarfed his affections or feelings into the mere sectional patriot. Inflexibly just in the discharge of every social, moral, and political duty, happy will it be for his country when such men are called upon, by the public voice, to fill its high trusts!

In addition to all this, the general, notwithstanding his early struggles with poverty, is one of the most unselfish men in the world in reference to money or wealth. Instead of looking upon money as an end to be accomplished and attained by the strug-

* John Dowling, Esq., formerly member of the Indiana Legislature.

gles of life, he has never coveted it but as a means of doing good, for which no sacrifice of principle or duty should ever be made. This is well illustrated in his positive refusal to accept the double or constructive mileage to which, under the practice of the Government, he was entitled as Senator from Oregon. The sum was a large one, but its acquisition had no charms for the general when he reflected upon the injustice of drawing it from the Treasury to defray his expenses for the mileage and *per diem* of a trip which he had never performed.

JOHN M^cLEAN,

OF OHIO.

JOHN McLEAN was born in Morris County, New Jersey, of humble but respectable parentage, his father being a worthy emigrant from Ireland and a weaver by trade, which business he followed in his adopted State and also in Kentucky. During the infancy of the subject of this sketch, the family—quite a large one—removed to the Western country, and, after seeking a settlement first at Morganstown, Virginia, afterward in Jessamine, near Nicholasville, Kentucky, and, in 1793, in the vicinity of Mayslick, finally went, in 1799, to the territory northwest of the Ohio River which now forms Warren County, Ohio. Here the elder McLean cleared a farm, and for forty years, until his death, resided upon it. The homestead afterward became the property, and for many years was the residence, of the son. Neither the resources of the father nor of the country in which he had settled afforded the means of education; but, having been sent to school at quite an early age, the boy attained considerable proficiency in the elementary branches. In his sixteenth year he became acquainted with the languages through the careful instruction of Rev. Matthew Wallace and Mr. Stubbs and by his own diligent study. He had meanwhile labored on the farm; and, in evidence of that independence of spirit ever a leading trait in the self-made man, it may be said, to this youth's honor, that he refused to allow his father to defray the expenses of his instruction. The same healthy firmness of character has guided and attended him throughout his important career.

Knowledge but fed the aspirations which had already begun to throb the heart of the young farm-hand; and, determining to overcome the obstacles which the limited means of his family presented, he succeeded in getting employment—when eighteen

years old—in the Clerk's office of Hamilton County, in Cincinnati. With the salary of this position he was enabled to support himself while studying the law under the auspices of Arthur St. Clair, an eminent counsellor and gentleman of prominence, son of the famous Revolutionary general of the same name, and who had been Governor and Judge of the Northwest Territory. No arrangement could have been better calculated for the youth's benefit; for, while honorably and industriously supporting himself, he was enabled to study the theory, and become well acquainted with the practical routine, of the profession.

Before Mr. McLean was admitted to the bar, he fell a willing victim to the Supreme Court of Cupid, and was married in the spring of 1807 to Miss Rebecca Edwards, daughter of Dr. Edwards, formerly of South Carolina. In the fall of the same year, he, being then over twenty-two years old, was admitted and entered on his independent professional career at Lebanon, Warren County. His practical experience soon gained public confidence, and led to the possession of ample means. With the increase of business, his usefulness became so paramount that in 1812 he was brought forward to represent the city of Cincinnati in Congress, and had the good fortune to be elected after a very spirited contest with two competitors. Here commenced that able career which has led him to one of the highest and most responsible positions in the country. The political principles held by Mr. McLean on his entrance to the great national arena, and his course during the earlier portion of his career there, have been thus authentically stated:—"From his first entrance upon public life, John McLean was identified with the Democratic party. He was an ardent supporter of the war and of the Administration of Mr. Madison, yet not a blind advocate of every measure proposed by the party, as the journals of that period will show. His votes were all given in reference to principle. The idea of supporting a dominant party merely because it was dominant did not influence his judgment or withdraw him from the high path of duty which he marked out for himself. He was well aware that the association of individuals into parties was sometimes absolutely necessary to the prosecution and accomplishment of any great public measure. This, he supposed, was sufficient to induce the members composing them, on any little

difference with the majority, to sacrifice their own judgment to that of the greater number, and to distrust their own opinions when they were in contradiction to the general views of the party. But as party was thus to be regarded as itself only an instrument for the attainment of some great public good, the instrument should not be raised into greater importance than the end, nor any clear and undoubted principle of morality be violated for the sake of adherence to party. Mr. McLean often voted against political friends; yet so highly were both his integrity and judgment estimated that no one of the Democratic party separated himself from him on that account. Nor did his independent course in the smallest degree diminish the weight he had acquired among his own constituents." Livingston adds that "Among the measures supported by him were the tax-bills of the extra session at which he entered. He originated the law to indemnify individuals for property lost in the public service. He introduced the resolution on the expediency of pensioning the widows of the officers and soldiers who had fallen in their country's service, which was afterward sanctioned by Congress. He spoke ably in defence of the war-measures, and by his attention to the interests of the people continued to rise in public estimation."

He was re-elected in 1814, when a display was made in his favor which is of rare occurrence in political history, receiving every vote cast in his district. His career on two most important committees—Foreign Relations and Public Lands—is a sufficient index to the breadth as well as the sagacity of his views and his attention to the business duties of his position. Indeed, so high were his ideas of responsibility and trust in connection with the duties of a Representative in the popular branch of the National Legislature, that he declined to become a candidate for the United States Senate when his election was considered a certainty. He nearly served out his term, until 1816, when, having been unanimously elected by the Ohio Legislature to the Supreme Bench of that State, he resigned, and was succeeded in Congress by General Harrison. Just previous to his resignation he was on the committee that reported and supported the bill granting fifteen hundred dollars a year to members of Congress, instead of the *per diem* allowance of the time. He believed

that under the law the business of Congress would be facilitated by direct attention. Having been "perverted and its effects misrepresented by selfish aspirants," it was repealed the following session, and the law giving eight dollars per day and eight dollars for every twenty miles' travel was instituted.*

After dignifying the Supreme Bench of Ohio for six years, President Monroe appointed Judge McLean—in the summer of 1822—Commissioner of the Land Office; and, in the next year, he was elevated to the position of Postmaster-General. Here he distinguished himself in a highly admirable manner and drew forth the highest encomiums. He ignored the idea of placing men in office for their political opinions, or because they had served party purposes. He sought out the most suitable men among the applicants, and these he intrusted with the duties of office. They were accepted for their capacity to do duty, and had to do it. Business was attended to, and a most gratifying success was the result. Judge McLean personally superintended the details, and arrived as nearly at perfection as was possible. In consequence the salary attaching to the office was almost unanimously raised by the Senate and House of Representatives from four to six thousand dollars per annum. Those who rigidly followed party discipline, and opposed the motion, did so reluctantly. As an evidence of the estimation in which Judge McLean's arduous and successful labors were held, the fact may be instanced that John Randolph said the salary was for the officer, and not for the office, and that he would vote for the bill if it should be made to expire when Judge McLean left the office. Charles J. Ingersoll has said he was "the very best Postmaster

* This law remained in force until August 16, 1856, when an annual salary of three thousand dollars, with mileage, was adopted. This was again amended by joint resolution of December 23, 1857, introduced by Mr. George Taylor, of New York, enacting that "on the first day of the first session of each Congress, or as soon thereafter as he may be in attendance and apply, each Senator, Representative, and Delegate shall receive his mileage, as now provided by law, and all his compensation from the beginning of his term, to be computed at the rate of two hundred and fifty dollars per month, and during the session compensation at the same rate. And on the first day of the second or any subsequent session he shall receive his mileage, as now allowed by law, and all compensation which has accrued during the adjournment at the rate aforesaid, and during said session compensation at the same rate," &c.

that the country ever had : he discharged the office with industry, punctuality, and economy, and displayed great ability in the arrangements. Judge McLean employed many females in various small towns, and found the postmistresses quite as efficient as the postmasters." And another writer fills out a sketch of his official career in charge of the post, by characterizing it as marked by the greatest wisdom and moderation. The writers of all sides rival each other to do him honor.

Upon the accession of Jackson to the Presidency, in 1829, he appointed McLean to a seat in the Supreme Court of the United States, which he has held with so much dignity for a period of thirty years. In Livingston's Memoir it is stated that he was tendered the Army and Navy Departments, but declined them; and another writer gives this account of the circumstances leading to his appointment on the Supreme Bench, which are the more interesting from the fact that upon several principles of public policy he differed with the President. The story goes:—

When Jackson was about selecting his Cabinet, McLean was sent for, to ascertain whether he was willing to remain in Washington. The object of the interview having been stated, Judge McLean remarked that he wished to explain the line of conduct he had hitherto pursued,—observing that the general might have received the impression from some of the public prints that the Postmaster-General had used the patronage of his office for the purpose of advancing the general's election. He desired Jackson to understand that no such thing had been done, and that had he pursued such a course he would deem himself unworthy of the President's confidence or that of any other honorable man. But, he was bound in candor to say, should he remain in office, he would not deviate from the course he had pursued under Mr. Adams; that in all he had done he had looked with a single eye to the public interest, and that he would be governed by the same motive in future; that no power which could be brought to bear upon him would change his purpose. Jackson replied with warm expressions of regard and confidence, and wished him to retain the Post-Office Department, regretting, at the same time, that circumstances would not permit him to offer McLean the Treasury. The judge replied that, having held office under the late Administration, he was delicately situated:

he required no distinction in the new organization,* but would remain in his old office on the terms stated, or retire. It being subsequently feared that his course might not harmonize with Jackson's Cabinet, and he being found determined to follow his own way, he was offered the seat on the Supreme Bench, which he accepted, and entered upon his new duties in the January Term, 1830.

It is conceded that there is perhaps no station which calls into exercise to a greater extent the highest faculties of the human intellect; and Senator Benjamin but gave expression to the general feeling when he said, "From my earliest childhood I have been taught to revere the judges of the highest court in the land, as men selected to render justice between litigants, not more by reason of their eminent legal acquirements than because of a spotless purity of character, an undimmed lustre of reputation, which removed them far, far beyond even a doubt of their integrity." Judge McLean's early habits of labor and industry trained his brain as well as his body to meet fatigue, and to triumph over the exhaustion consequent upon the faithful fulfilment of the duties of a tribunal where the most important questions of art, science, commerce, the theory and practice of constitutional government, and the basis on which the fabric of the Union stands, are discussed, expounded, and decided upon. During his long career as a leading member of that tribunal, the jurisprudence of the country has been enriched by the diligent labors of his energetic and cultivated mind.† His courtesy to counsel, his dignity, and the uprightness of his character in public and private, are dwelt upon with enthusiastic respect and affection by the intelligence of the bar and the jury-box, as well as by unprofessional friends. Some of his charges to grand juries while on circuit are classed among the most able and eloquent expositions of the rights and duties of American citizens among themselves and toward other nations. One of his most memorable charges was delivered in December, 1838, in regard to aiding or favoring unlawful military combinations by our citizens against

* Until Jackson's time, the Postmaster-General was not a member of the Cabinet.

† See Livingston's "Eminent Americans," &c.

any foreign Government or people with whom we are at peace. It was during the Canadian excitement; and a brief extract will give the pith of the learned judge's conclusions:—

“If there be any one line of policy in which all political parties agree, it is that we should keep aloof from the agitations of other Governments,—that we shall not intermingle our national concerns with theirs. And much more, that our citizens shall abstain from acts which lead the subjects of other Governments to violence and bloodshed. . . .

“A Government is justly held responsible for the acts of its citizens. And if this Government be unable or unwilling to restrain our citizens from acts of hostility against a friendly Power, such Power may hold this nation answerable and declare war against it. Every citizen is therefore bound, by the regard he has for his country, by his reverence for its laws, and by the calamitous consequences of war, to exert his influence in suppressing the unlawful enterprises of our citizens against any foreign and friendly Power.”

In December, 1840, Judge McLean suffered a severe affliction in the demise of his wife, who was an amiable and admirable woman. He remained a widower until 1843, when he was united to Mrs. Sarah Bella Garrard, daughter of Israel Ludlow, one of the founders of Cincinnati.

The author of “American Statesmen in 1846,”* speaking of Judge McLean, says, “Residing in the free State of Ohio, separated from the slave State of Kentucky only by the Ohio River, the opinions of this calm and disinterested statesman, founded as they are upon personal observation, must have great value in the question of the abolition of slavery. I was curious to learn them. ‘If you touch slavery,’ replied he, ‘you risk a separation of the Union.’ These words were oracular, and were uttered by a man whom no Abolitionist can surpass in the genuine love of freedom and right.”

As to the power of Congress over the Territories, Judge McLean holds that “the true construction of the Constitution is, that implied powers can only be exercised in carrying into effect a specified power, and this implication is limited to measures appropriate to the object.” This safe rule is the only one he believes to be sanctioned by jurists and statesmen, and holds that there is no specific power in the Constitution which authorizes the or-

* Sarah Mytton Maury. London, 1847.

ganization of Territorial Governments. "If the power is implied from the specific power given to regulate the disposition of the public lands, it must be limited to the ends in view. If Congress exceed this in the organization of a Territory, they go beyond the limitation, and may establish a monarchy. Admit that they may organize a Government which shall protect the land purchased and provide for the administration of justice among the settlers, it does by no means follow that they may establish slavery. This is a relation which must be created by the local sovereignty. It is a municipal regulation of limited extent, and necessarily of an equally limited origin. It is a domestic relation, over which the Federal Government can exercise no control." Upon these views, General Cass said, "Judge McLean lays down the proper boundary of Congressional interposition."

In the *Dred Scott* case, Judge McLean dissented from the decision of the court as given by Chief-Justice Taney. Elaborately arguing the case, Judge McLean was of opinion that the Supreme Court of Missouri had disregarded an Act of Congress, and the Constitution of the sovereign State of Illinois, under which *Dred Scott*, his wife and children, claimed that they were entitled to freedom,—both of which laws it had not only regarded, but carried into effect for twenty-eight years. In the course of his argument, he gave the following opinions on matters which are still leading topics:—

"It is said the Territories are common property of the States, and that every man has a right to go there with his property. This is not controverted. But the court say a slave is not property beyond the operation of the local law which makes him such. Never was a truth more authoritatively and justly uttered by man. Suppose a master of a slave in a British island owned a million of property in England: would that authorize him to take his slaves with him to England? The Constitution, in express terms, recognises the *status* of slavery as founded on the municipal law: 'No person held to service or labor in one State, *under the laws thereof*, escaping into another, shall,' &c. Now, unless the fugitive escape from a place where by the municipal law he is held to labor, this provision affords no remedy to the master. What can be more conclusive than this? Suppose a slave escape from a Territory where slavery is not authorized by law: can he be reclaimed?

"In this case, a majority of the court have said that a slave may be taken by his master into a Territory of the United States, the same as a horse or any other kind of property. It is true, this was said by the

court, as also many other things which are of no authority. Nothing that has been said by them which has not a direct bearing on the jurisdiction of the court against which they decided can be considered as authority. I shall certainly not regard it as such. The question of jurisdiction, being before the court, was decided by them authoritatively, but nothing beyond that question. A slave is not a mere chattel. He bears the impress of his Maker, and is amenable to the laws of God and man; and he is destined to an endless existence."

Judge McLean, called by a leading Whig the "guardian of the Constitution," was understood to be the second choice of the Republican party for the Presidency in 1856. Apart from his judicial and political character, he is lauded for the cheerfulness of his temper, the affable frankness of his manners, and the force and eloquence of his conversation. He has received the honorary degree of LL.D. from Cambridge University, the Wesleyan University, and several other colleges and educational institutions in the Western and Southwestern States.

JAMES L. ORR,

OF SOUTH CAROLINA.

AMONG the most prominent Southern men in public life, and especially prominent as a national Southern man, is the gentleman who presided as Speaker over the House of Representatives during the Thirty-Fifth Congress. While essentially a popular man, from the genial dignity of his presence, the affability of his manner, and his ready talents, he is entitled to much higher acknowledgment for the knowledge and power that support his more showy acquirements. His career has been a singularly successful one, and but another evidence that while ability, without directness of purpose, may startle with fitful brilliancy, with industry and force of character it will certainly succeed in commanding the heads as well as the hearts of men.

James L. Orr was born at Craytonville, Anderson District, South Carolina, on the 12th of May, 1822. His father, Christopher Orr, acquired, through mercantile pursuits, a competency, and gave a thorough education to his three sons and two daughters. His grandfather, Jehn Orr, was a native of Wake County, North Carolina, and, as a gallant Whig soldier, participated in the Revolutionary War. His feeling against British domination on this continent was not probably diminished from his having Irish blood in his veins. The paternal ancestor of the Orrs emigrated from Ireland and settled originally in Pennsylvania, about the year 1730. On his mother's side the subject of this sketch is also of Irish descent,—her ancestor having arrived in this country from Ireland in 1786.

Having, at an early age, acquired the rudiments of an English education in a country school, James L. Orr commenced the study of Latin and Greek at an academy in Anderson, and occupied his leisure time by acting as salesman and book-keeper for his father. In his seventeenth year, he was transferred to the University of

Virginia, and diligently applied himself to complete his studies and prepare himself for the profession of the law. So assiduous was his application during the first year that, we are told, "he made himself proficient in mental and moral philosophy, political economy, logic, rhetoric, belles-lettres, medical jurisprudence, and also all the elements of international and constitutional law." He followed up these branches with an almost complete devotion to the study of the law, and left the university in 1840. Young Orr's favorite author was Coke upon Littleton; and he has often declared that his knowledge of the principles of English common law, especially those governing real estate, was derived from this quaint but profound jurist. During the year 1841, he mingled more than heretofore in society, "improving his knowledge of human nature;" still, the greater portion of his time was devoted to books, adding to his legal resources the expansive views which the study of ancient and modern history opens to a philosophic mind.

In January, 1842, Mr. Orr, thus prepared by theories, entered the office of Judge Whitner, then Solicitor of the Western Circuit, to learn the practice of the profession. He perfected himself in the course prescribed by the Court of Appeals of South Carolina; and, passing a strict examination before all the judges, was admitted May, 1843, having then just arrived at his majority.

Having his head pretty well stored with literature as well as law, and law naturally leading all American youth to politics, Mr. Orr almost simultaneously opened an office for the reception of clients at law, and established a newspaper for the direction of the town in politics. He succeeded with both enterprises. They kept him tolerably busy; but it is evidence of his success that as a lawyer he got a very respectable practice very soon, and as a politician he entered the State Legislature before he was twenty-three years old. His industry and talent in the "Anderson Gazette," as well as his personal blandishments out of it, recommended him to the people in such an unmistakable manner, that, in 1844, he was elected from Pendleton District, having received a higher vote than any other man in the State, and in a district which in 1840 had given a decided Whig majority. Robust in body as in brain, Orr made a most arduous campaign, discussing the leading topics at issue between the

Whig and Democratic parties. He overcame the distrust of old politicians, and, naturally enough, inspired confidence in men of his own age; and the result was a very strong evidence of the spirit with which he conducted the canvass, and of his dawning capacity as a popular speaker. At the next election he was again returned.

It is remarked that Mr. Orr's career in the Legislature was distinguished not so much by brilliant elocution as by sound sense and discriminating judgment. He participated frequently in the debates; but, as there were no reporters of the proceedings at that time, none of his speeches have been preserved. His first effort was in 1844, in opposition to what was known as the Bluffton Movement, which was to have again committed South Carolina to a nullification of the Tariff of 1842.

This speech at once gave Mr. Orr reputation and position in the Legislature. It was generally well received, and one of the principal journals characterized it as "one of the boldest, plainest, and most sensible speeches of the whole discussion." He was an earnest and energetic advocate of the measure giving the election of Presidential Electors to the people, (South Carolina elects her Electors by the Legislature,) and delivered an able speech in favor of it. The bill was carried in the House, but defeated in the Senate. Among other measures which enlisted his sympathies and advocacy were a liberal and enlarged system of internal improvements, and a general reform of the free-school policy. Thus, at the outset of his career, Mr. Orr became the forward champion of popular rights, despite the deep-rooted prejudices growing out of usage.

In 1848, Mr. Orr became a candidate for Congress. His opponent was a lawyer of extensive reputation, like himself a Democrat, and had the advantage of having taken the field some months in advance. The campaign was quite exciting, and the result—the election of Mr. Orr by seven hundred majority—a most flattering tribute from the people to his youthful legislative career. From that time to the present, Mr. Orr has retained the esteem and confidence of his constituents, and has been re-elected to Congress without opposition.

On Mr. Orr's entrance to the National Councils there were men of great power in the Senate, and in the House men destined to become so. Upon the immediate field of action into which

he was thrown were men like Alexander H. Stephens and Robert Toombs, of Georgia, the one with an intellectual keenness of incisive power, the other with a blunt frenzy almost as effective; Robert C. Winthrop, of Massachusetts, with phraseology complete and elegant; James McDowell, of Virginia, with a stirring eloquence; Henry W. Hilliard, of Alabama, decking the war of politics with the flowers of literature; William B. Maclay, whose love of quiet has since proved stronger than even his great cultivation; Thomas L. Clingman, of North Carolina, ready and anxious to prove that the wide world is but an extensive illustration of his own State, or that it is an epitome of the world. These and many other notable and prominent men were in the House when the young lawyer-editor of the "Anderson Gazette" made his appearance. During his first term his ears were much more open than was his mouth. He listened much and lectured little. His principal speech was upon the agitation of the Slavery question, and its dangerous consequences against the perpetuity of the Union, and embracing his views against the admission of California as a State before she had passed "the usual Territorial pupilage." He strongly enforced the doctrine of non-intervention, and insisted that whether slavery be a sin or not, Congress has nothing whatever to do with it. It was recognised by the Constitution—protected by it; and it was his opinion that any one who felt a moral duty devolving on himself to further its extirpation should candidly avow himself a disunionist. If, on the contrary, he is ready to abide by the Constitution in letter and spirit, he must cease to agitate. Of the Nashville Convention, Mr. Orr said its ends were high and holy. "It was called to protect the Constitution—to save the Union—by taking such steps as might prevent, if possible, the consummation of measures which would probably lead to the destruction of both. Had the *purpose* been disunion, those who called that convention would have waited until the irretrievable step had been taken, and nothing left to the South but submission or secession."

Mr. Orr opposed and voted against most of the Compromise measures. He believed that the arrangement did not do justice to his section; that Congress had no constitutional right to purchase part of a sovereign State—Texas—and place the population thereof under a Territorial Government. He argued that if the

land was the property of Texas, the Federal Government had no right to purchase; if it belonged to the United States, then it was wrong to take ten millions of dollars from the public treasury to pay for that which was already their property; and, lastly, that California was admitted with excessive territory, without an enumeration of her inhabitants, having framed her Constitution without authority from Congress, and against all the precedents of our political existence.

On his return home, in March, 1851, Mr. Orr found a formidable party organized for the secession of South Carolina *alone* from the Union. The Compromise was generally condemned. The Legislature called a Constitutional Convention. Delegates were elected who, with few exceptions, were pledged to secession. Orr had originally advised against holding the convention, on the ground that if a wrong had been done the South, it was as oppressive upon all the Southern States as upon South Carolina, and that neither patriotism nor sound policy required *one* State to redress that wrong. His own Congressional district had elected two delegates to one in favor of secession. Notwithstanding that he was in a great minority, Mr. Orr fearlessly opposed the secession policy. In a public speech to his constituents at Pickens, a few days after his return home, he earnestly and eloquently warned them of the disasters which would follow the proposed project. He admitted the *right* of a State to secede, but did not deem the policy wise. The Southern Rights Associations—which had been organized in the preceding winter—held a general convention at Charleston in May, 1851. The body, numbering some four hundred and fifty members, was distinguished for its intelligence and integrity, and represented the extreme party of the State, which was believed to be largely, if not overwhelmingly, in the ascendant. Mr. Orr attended as a delegate from Anderson, and introduced the resolution upon which the minority based their report, as a counter-proposition to the address of the majority of the committee. About thirty members sustained Orr. His repudiation by the convention, however, was more than overbalanced by the support given him when the same question came before the people. His speech in the convention was fully equal to the trying and important occasion. It was bold and manly, and indicated a moral courage worthy of the patriotic purpose it

was intended to propitiate, and which it ultimately did evoke. Published by the Executive Committee of the Co-operationists, it was circulated in every corner of the State, and read by every voter.

So lamentably beaten in the Convention, the future of the Co-operation party in the coming campaign looked dim and unpropitious. At the time, but one public journal opposed the Secession policy.

The same Legislature which ordered the Constitutional Convention provided for the election (in October) of two deputies from each Congressional district to a Southern congress. As this was the only popular election to occur until the probable meeting and action of the Constitutional Convention, the Co-operation party determined to test their strength, and brought forward Mr. Orr and Colonel Irby as candidates in the Second district. The Secessionists nominated Hon. R. F. Simpson and Hon. H. C. Young, both personally quite popular. With the exception of two speeches made by Colonel Irby, Mr. Orr conducted the whole campaign, which was one of peculiar interest to, and excitement in, the State. The result was the election of Orr and Irby by 3204 majority; Orr having the still greater satisfaction of seeing his party triumph in the whole State by 8000 majority. Few, very few, of our public men have evinced more true courage, nerve, and firm resolve than Mr. Orr did in this contest. With a political grave threatening him in case of failure, he did not hesitate for a moment to follow that course which his head and heart told him was best for his constituents, his section, and his country. "Had his political career closed here, the glory of his unbounded success would have gilded his name in our political history and challenged the admiration and applause of every lover of the Union and the States."

While on the House Committee on Public Lands, Mr. Orr paid great attention to the duties of the position, and the reports emanating from him evince his zeal and industry. He spoke elaborately in favor of the bill to grant alternate sections of land to the State of Missouri for railroad purposes, from Hannibal to St. Joseph's and from St. Louis to the western line of Missouri. He argued that the Constitution conferred ample power on Congress to make donations such as were contemplated in the bill,

and, showing that the principle had been sustained by all the leading statesmen of the Democratic party, including Calhoun, said, "Government has the right to give away one-half of the public lands located along the line of railroads, that the remaining half may be enhanced in value and be speedily brought into market." The bill passed. On the same bases and conditions he reported a bill for Arkansas, which passed, and another for Florida, which was defeated by the Speaker's vote.

During the same session (the first of the Thirty-Second Congress) the Baltimore Convention met and nominated Pierce and King. South Carolina was not represented in convention, but Mr. Orr, the following week, made an earnest speech in the House in support of its action. The service he rendered the Democratic party was very highly esteemed, and the speech was widely circulated in all sections. Prior to the Presidential election in 1852, he followed up this effort in Congress by several addresses to the people in various places.

At the next session, Mr. Orr, for the first time, was called upon to preside over the House as Chairman of the Committee of the Whole upon the Civil and Diplomatic Appropriation Bill, and discharged his duties with promptness and impartiality. He was appointed Chairman of the Committee on Indian Affairs of the Thirty-Third Congress, and early in the session made an elaborate report on a bill introduced by himself. He proposed to domesticate the semi-civilized Indians by giving each head of a family a quarter-section of land, the same to be inalienable and exempt from levy and sale under execution,—their annuities to be paid in agricultural implements and articles of comfort instead of in money; and their tribal organizations to be totally abrogated by the extension of the laws of the whites over them. This measure has accomplished much in changing the policy of Government toward these Indians; and the report was deemed so valuable by Mr. Schoolcraft, the great Indian historian and antiquary, that he incorporated it in his splendid work.* In the bill reported by Mr. Orr for the domestication of the Chippewas and the extinguishment of their title to the lands in Minnesota

* See fifth volume of Schoolcraft's "History of the Condition and Prospects of the Indian Tribes of North America," &c.

and Wisconsin, he embodied the features of his proposed reform. The bill went through the House almost unanimously, subsequently became a law, and the Chippewa treaty made conformable thereto. A few years, and the result of his reform will be seen. Even now the red man offers prayers to the Great Spirit for his preservation. His remarks in the casual debates on Indian affairs abound in valuable suggestions, and show that he has made the subject one of close study and observation.

In company with Senator Douglas and Hon. John L. Dawson, of Pennsylvania, Mr. Orr, by invitation of the Democracy, visited Philadelphia and addressed them on the Fourth of July, 1854. Fourth-of-July orations are counted by the thousand every year, and generally attract little attention. The speeches on the day and in the city in question have an historical importance, the reason of which is given by a writer in the "National Democratic Review" for 1856.*

The Mayor's election in the preceding month had unfolded to the public a knowledge of the existence of a new and powerful political organization, then known by no other name than that of the "Know-Nothings." The principles of this party were the subject of much speculation, its meetings being private and clandestine. There was a suspicion, almost amounting to a certainty, that its members recognised each other by signs, grips, and passwords, and that the objects of the exploded Native-American party were embraced as a part of the programme of this new organization, together with the proscription of all who professed the Catholic religion. That it was formidable could not be doubted, since in a recent election it had overwhelmed a Democratic city by a majority of more than eight thousand votes. Some of our public men doubted, hesitated, wavered before this rolling tide. Not so, however, did Mr. Orr. Let it be remembered, to the lasting credit of Senator Douglas and Mr. Orr, that they were the first public men in the Union who made a bold and fearless assault upon its seductive and insidious principles. The speech made by Mr. Orr was listened to by delighted thousands, and, being copied very generally, its arguments are thought

* The late W. H. Topping, Esq., to whom in the preparation of this sketch I have been much indebted.

to have saved many honest Democrats from being entangled in the meshes of the new party. After reminding his auditory that Jefferson, according to the epitaph written for his own grave, considered the establishment of religious freedom an achievement worthy to be placed by the side of the Declaration of Independence, he protested, in the name of our ancestors,—who were all foreigners,—in the name of the Constitution, in the name of liberty itself, against a secret political organization.

Mr. Orr warmly supported the Kansas-Nebraska Bill, and co-operated with the friends of the measure in securing its passage. His views on this bill, which has been made the subject of so much discussion since, are clearly and boldly enunciated in a speech delivered in Congress in December, 1856:—

“The great object sought to be accomplished in the introduction and passage of that bill was this: the continual agitation of the Slavery question upon the floors of Congress had produced discord and dissension here; it had alienated the different parties of the Confederacy from each other, and was threatening the existence of the Government itself; and hence it was thought best, by a majority of the members of Congress in 1854, to transfer, as far as possible, this agitation from the halls of Congress to the Territories themselves. Hence, the great and leading feature in that bill was to transfer the legislation and power of Congress on the Slavery and all other subjects to the Territorial Legislatures, and let the popular will there shape and form the laws for their own government without restriction, save the proviso that such legislation should be consistent with the Constitution and general laws of the United States.”

Mr. Orr did not believe that the Kansas-Nebraska Bill established or recognised squatter sovereignty within the limits of the Territories of Kansas and Nebraska; and the process of reasoning by which he reached that result was that he saw no authority in the Constitution of the United States authorizing Congress to pass the Wilmot Proviso or any anti-slavery restrictions in the Territories. Congress, not having the power itself, could not create an authority and invest a creature with greater power and authority than it possesses itself.

“Although (said Mr. Orr, in continuation) I deny that squatter sovereignty exists in the Territories of Kansas and Nebraska by virtue of this bill, it is a matter practically of little consequence whether it does or not; and I think I shall be able to satisfy the gentleman of that. The gentleman knows that in every slaveholding community of this Union we have local legislation and local police regulations appertaining to that institu-

tion, without which the institution would not only be valueless, but a curse to the community; without them, the slaveholder could not enforce his rights when invaded by others; and, if you had no local legislation for the purpose of giving protection, the institution would be of no value. I can appeal to every gentleman upon this floor who represents a slaveholding constituency to attest the truth of what I have stated upon that point.

“Now, the legislative authority of a Territory is invested with a discretion to vote for or against laws. We think they ought to pass laws in every Territory, when the Territory is open to settlement and slaveholders go there, to protect slave-property. But, if they decline to pass such laws, what is the remedy? None, sir. If the majority of the people are opposed to the institution, and if they do not desire it ingrafted upon their Territory, all they have to do is simply to decline to pass laws in the Territorial Legislature for its protection, and then it is as well excluded as if the power was invested in the Territorial Legislature to prohibit it. Now, I ask the gentleman, what is the practical importance to result from the agitation and discussion of this question as to whether squatter sovereignty does or does not exist? Practically, it is a matter of little moment.”*

Mr. Orr made strenuous opposition to the French Spoliation Claims,† and also reviewed the Florida Claims with such force in opposition to the bill reported by the Judiciary Committee in favor of their payment as to defeat its passage, although the predilections of the House were considered unmistakably in its favor. During the famous contest for Speaker which resulted in the election of Mr. Banks, Mr. Orr was brought forward, and received the votes of the Democracy through many balloting, and then withdrew in favor of Governor Aiken.

In November, 1855, Mr. Orr addressed a letter to Hon. C. W. Dudley on the propriety of having the State of South Carolina represented in the Democratic National Convention to be held in Cincinnati. It is known that South Carolina had never sent delegates to the National Conventions, though the Democracy had uniformly, for fifteen years, adopted this method of finding out the popular opinion touching the Presidential succession. Mr. Orr made a sound and spirited appeal to his State in favor of sending delegates. Never was it so necessary that the Democracy should hold together and prevent the election of a Presi-

* Speech in the House of Representatives. See “Congressional Globe” for the third session of the Thirty-Fourth Congress.

† See speech in the second session of the Thirty-Third Congress.

dent from falling into the hands of the House of Representatives, which at that time, as he stated, had a majority of "Know-Nothing," Fusion, and Whig members. "Can we hesitate," he asked, "to meet the true men of the North and co-operate with them, when the dust of the fray in many hard-fought battles against Fusionists and Black Republicans is still settled on their garments? They have for more than twelve months been fighting for the Constitution and for the maintenance of your rights." Then, again, would South Carolina hesitate to meet her Southern friends at Cincinnati? On this point he wrote:—

"Sooner or later we must learn the important truth that the fate and destiny of the entire South is identical. Isolation will give neither security nor concert. When we meet Virginia and Georgia, Alabama and Mississippi, in consultation, as at Cincinnati, it is the supremacy of pharisaism to flippantly denounce such association as either dangerous or degrading. North Carolina, Missouri, Florida, and Texas will be there represented; and are we too exalted or conceited to meet them at the same council-board?" Suffice it to say, South Carolina took Orr's advice, and sent delegates to the National Convention.

In the Thirty-Fourth Congress, Mr. Orr took an active part on the committee raised to investigate the charges of corruption made by the press against the House, and which resulted in the resignation of Mr. Gilbert, Mr. Edwards, and Mr. Matteson, of New York.

Preceding the organization of the Thirty-Fifth Congress, (December 7, 1857,) Mr. Orr was nominated for Speaker in the Democratic caucus by acclamation and without opposition, and elected on the first ballot, receiving 128 votes,—113 being necessary to a choice. Hon. Galusha A. Grow, of Pennsylvania, received 84 votes. On taking the chair, the Speaker briefly returned thanks for the honor conferred upon him, and reminded the House that the great interests confided to its charge admonished every member to cultivate a patriotism as expansive as the Republic itself. He cherished the ardent hope that the public duties would be discharged so as to uphold the Constitution, preserve the Union of the States, quicken their prosperity, and build up the greatness and the glory of our common country.

The elevation of Mr. Orr to the high dignity of Speaker gave great satisfaction to the Democratic party. When the news reached his more immediate constituents in Anderson, an enthusiastic meeting was held at the court-house in his honor. In the afternoon, banners were displayed, with suitable inscriptions, from the public buildings and private residences; mottoes complimentary to their distinguished fellow-citizen were displayed, amid the firing of artillery and the inspiring strains of music. Resolutions endorsing Mr. Orr's past and present career with entire and unqualified approval were passed, for one of which we make room :—

“Resolved, That the singular degree of unanimity with which this distinguished honor has been conferred upon him by the Democratic party—the only constitutional party in the Union—is peculiarly gratifying to his immediate constituency, and is but a just tribute to the merits of one who has proved himself a wise and comprehensive legislator, a bold and sagacious statesman, as well as an independent and fearless patriot.”

The Thirty-Fifth Congress—especially the first session—was a continuous scene of unusual excitement. The complications of debate growing out of party exigencies, personal antipathies emanating from the wildness of sectional sympathies, the desire of either party to confound action when it could not defeat it, the white-heat to which passion had been wrought during the long sittings and wearying entanglements caused by the fuglemen of all sides in the exciting days and nights of the Leocompton-Kansas discussions, rendered the Speaker's position one of an extremely responsible nature. If he had failed, through want of presence of mind or a quick knowledge of the rules of the House, at any moment to decide uprightly between the combatants on the floor, or to see through the expedients set forth to thwart or stay the systematic course of the measures under discussion, legislation might have taken a course as tedious as it would have been turbulent. Throughout the records of some of those scenes of excitement, which have in part become historic, the Speaker's name appears as frequently as that of any of the gentlemen addressing him, settling points of dispute, replying to inquiries as to the course to be pursued, determining the stage at which resolutions, substitutes, amendments, and motions were

at the moment, and keeping together and directing with calm persistency and impartiality the whole legislative machinery. On some occasions nothing less than Mr. Orr's presence and energy could have restrained the infuriate feelings conjured up in hot debate, or have restored to order those who had lost control of themselves. None of the decisions made by Mr. Orr during his administration of the Speakership were overruled by the House.

The closing scenes of a session are always noisy: those attending the close of the Thirty-Fifth Congress were especially so. The large new hall of the House was crowded on the morning of March 4, 1859. The galleries were jammed, and the entrances beset with groups anxious to take a last look at the Congress whose deliberations had so excited the nation. The sitting had been prolonged all through the night in vain attempts to get all the appropriation bills through. The Post-Office bill was left in the lurch, also the bills providing for the redemption of Treasury Notes and a change in the Tariff. The opposition were killing time by calling for the yeas and nays, and the hour of noon was fast approaching. Members were lounging about, now and then looking toward the clock; some were tying up their papers, or bidding each other "Good-bye." A dozen buzzing groups were deaf to the occasional raps of the Speaker's hammer. At one end of the hall, William Smith O'Brien—escorted by General Shields and Alexander H. Stephens, and to whom was extended the courtesy of the floor—was receiving the congratulations of a perfect stream of Senators and Representatives, which attracted the eyes and inquiries of the galleries, when—the Clerk still calling the yeas and nays—Mr. Speaker Orr announced the hour of twelve, and made a brief and very suitable address, in which he said,—

"The vote of thanks which you have offered me gives me assurance that my administration has been acceptable to you; and for that I thank you. I have throughout my term sought most earnestly to do exact and equal justice to individuals, parties, and sections; and if I have failed in the purpose through error or prejudice, I now crave your pardon.

"Trusting, gentlemen, that our deliberations here may realize for this great Republic the most prosperous development of all its immense resources, and invoking upon you through life the richest blessings of kind Heaven, I bid you farewell, and perform my last official act by declaring the Thirty-Fifth Congress at an end."

Mr. Orr had announced his design of retiring from public life during the first session; and men of all parties agreed with Mr. E. Kingman that the determination was "much to be regretted, not only as a social, but as a great political, loss to Congress. Such men as Colonel Orr give grace and dignity to the legislative body and to the circles in which they move."

In the recess between the sessions he took farewell of his constituents at Craytonville, in a speech which attracted, and, for particular reasons, will attract, attention. In addition to the views with which the readers of this sketch are familiar, Mr. Orr came very boldly out in opposition to the opening of the slave-trade. When Governor Adams mooted this subject in his message to the South Carolina Legislature, Mr. Orr introduced a resolution into the House of Representatives declaring "that it was unwise, inexpedient, and contrary to the settled policy of the United States, to repeal the laws prohibiting the African slave-trade." This resolution was passed with but eight dissentient votes,—seven of whom subsequently avowed themselves opposed to reopening the trade. The resolution, coming from so prominent a Southern man as Mr. Orr, becomes of great importance,—the more so from the manner in which he has illustrated its text since.

In his speech at Craytonville, he condemned the idea as impracticable, and impolitic if practicable. If Northern or English manufacturers were to advocate the scheme, he could understand it; but that Southern planters should be urged to adopt a policy which would depreciate their productions for the benefit of the consumers, was to him incomprehensible. The agitation of such a scheme could, in his mind, effect nothing, save the division and disruption of the South. The laws against the trade are Federal; and Mr. Orr, in view of the effect of his resolution, may well ask,—

"Who believes that the laws prohibiting that trade will ever be repealed so long as this Government exists? Who is so credulous as to believe that a majority of the Representatives of the South will ever vote for their repeal? Does it not take a sanguine man to persuade himself that a single county in any State would elect a Representative to the State Legislature on such an issue? Why agitate, then? Is it to furnish Black Republicans with material to keep up a counter-agitation in their section of the Union?"

"A few years since, when we were opposing the Wilmot Proviso, one of the dangers most to be apprehended, we were told, was that our slave population would soon become so numerous by natural increase that they would become valueless; now that event is sought to be hastened by pouring in upon us a horde of wild Africans."

The doctrines and principles upon which it is sought to reopen the trade have, in Mr. Orr's opinion, no foundation in humanity, philosophy, morality, or religion.

He is also opposed to a slave-code for the Territories, believing it a violation by the South of her plighted faith to the principles of the Washington, Utah, New Mexico, Kansas, and Nebraska Acts,—non-intervention by Congress with slavery in the Territories. He is for maintaining Southern faith in this as in all other cases with honorable exactness. He believes the majority of the Southern people are opposed to, and will repudiate, any and all Congressional interference with the matter. The Dred Scott decision protects the rights of property in the Territories; the police legislation regulating it cannot be safely or wisely committed by the South to Congress.

Such is an epitome of Mr. Orr's political career and views. As a thinker he is clear and logical, and as a speaker direct and full of striking force. He enjoys very high professional reputation as a lawyer, and during the recesses has devoted much of his time to the active duties of the bar. Skilful, well versed in common law, a strict constructionist of the Constitution, and guided by the intelligence of the framers of our Government, his opinions are justly regarded with great deference. In addition to his political and professional duties, Mr. Orr delivered, among other addresses, the anniversary oration at Erskine College, in 1846, on General Education; an oration at Mercer University, of Georgia, in 1851; and the anniversary oration at Furman University, South Carolina, 1855; also the inaugural at the opening of the hall of the South Carolina Institute, Charleston. In all the relations of life in which Mr. Orr has appeared, he has won the esteem of good and great men as well as the popular applause; and he will carry with him into—it is to be hoped temporary—retirement the best wishes of his associates and late constituents.

JOHN M. READ,

OF PENNSYLVANIA.

THIS eminent Pennsylvanian is descended from a Revolutionary stock of great distinction and prominence. His grandfather, George Read, (grandson of a wealthy citizen of Dublin, Ireland,) was a man of distinguished ability, a signer of the Declaration of Independence, a member of the convention that framed the Constitution of the United States, a Judge of the Court of Appeals in Admiralty under the Confederation, a Senator in the First Congress, and, lastly, Chief-Justice of the State of Delaware. His grand-uncle, George Ross, of Lancaster, was also a signer of the Declaration of Independence. Two of the brothers of George Read were actively engaged and rendered valuable service in the Revolutionary contest. Thomas was a captain in the Continental navy, and James an officer in the army. Both fought under Washington at Trenton and Princeton, and James served as major at Brandywine and Germantown. Lieutenant-Colonel Gunning Bedford, who belonged to the Delaware regiment, and was Governor of Delaware after the war, was a brother-in-law.

His father, John Read, was educated to the bar, and admitted to practice in 1792. He settled in Philadelphia, where he married, in 1796, a daughter of Samuel Meredith, an active patriot of the Revolution, and the first Treasurer of the United States, of whose father General Washington was an intimate friend and frequent guest. The brother-in-law of Mr. Meredith, George Clymer, was a signer of the Declaration of Independence and a framer of the Constitution of the United States; and Mrs. Meredith was a sister of General John Cadwalader and of Colonel Lambert Cadwalader: her brother-in-law, General Philemon Dickinson, of Trenton, commanded at the Millstone, and also the Jersey militia at the battle of Monmouth; and her cousin, John Dickinson, was the author of the celebrated "Farmer's Letters."

John Read was a man of influence and talent. He served for two sessions in the Legislature of Pennsylvania as a Representative from Philadelphia, and an unexpired term of four years in the Senate, was for some years City Solicitor, and in 1819 was made President of the Philadelphia Bank. He resigned that post in 1841, and died, about five years ago, at an advanced age.

John Meredith Read, the subject of this communication, is the eldest son of John Read. He was educated at the University of Pennsylvania, and graduated very young. Students, at that period, often left the university, crowned with its honors, with no more Latin and less Greek than is now required for admission to Yale or Princeton; and it is not likely that Mr. Read was an exception to the ordinary rule.

He was admitted to the bar in 1818, and at that period looked as little like one given to the wasting of midnight oil in recondite studies as those least troubled with ambitious dreams. He was tall of stature, and with a face fresh, ruddy, and animated. He, however, read much, and had a strong propensity for literature; but he was no student in the proper sense of the term, and partook, with a zest natural to the young, of social enjoyments. Life had not yet presented itself to him in its serious aspects, and he thought little of the honors of the profession for which he was ere long to compete. Within a year, however, of his admission to the bar, he was appointed Solicitor for the Philadelphia Bank, and in that capacity became concerned in some important cases, in the management of which he exhibited a remarkable aptitude for legal practice. As business increased, a sense of its responsibilities compelled him to labor in order to acquire the learning necessary for the full performance of his duties, and he soon became distinguished for the diligence with which he prepared his cases, as well as for the ability with which he tried them. By degrees he acquired a rooted attachment to his profession, and studied the law as a science. He habitually came into court armed at all points, and gave his client the advantage of a masterly manipulation of the facts, and the utmost support of authority of which his cause was capable. He was not liable to be confused, disconcerted, or flurried, betrayed no surprise at an unexpected development of the facts, but went through his case steadily and without excitement, master of it

and of himself, never forgetting for a moment the decorum due to the administration of justice, nor the courtesies becoming the practice of an honorable profession. He partook largely of the chivalric spirit of the bar of the olden time,—was fair and generous to an opponent, and shared liberally with a colleague the fruits of his own laborious preparation. Though early noted as a rising man, his upward course was necessarily slow and toilsome. There were giants in those days at the bar, and they monopolized the heavy practice, leaving but the gleanings of the field to their youthful co-laborers.

In the fall of 1823, Mr. Read was elected a member of the House of Representatives of Pennsylvania, and during the session of the following winter took an active part in the debates of that body, and proved himself an able and influential member. He was re-elected the next year, and had for his colleagues Judges Kane and Stroud, and Mr. Meredith, late Secretary of the Treasury under General Taylor, constituting the strongest delegation ever sent by Philadelphia.

Declining further service in the Legislature, he applied himself with increased diligence to his profession. He was appointed City Solicitor, and became counsel for a number of large mercantile firms. Having been elected a member of the City Select Council, he thought it his duty to investigate the condition of the finances, and to understand the sources of its revenues and the subjects of its expenditures. His habits of exhaustive research qualified him for a species of labor which to most minds is, of all others, the most repulsive; and it was not long till he presented, in a forcible and luminous speech,—which was subsequently published in "Hazard's Register,"—the first connected view ever given to the public of the operations of the financial department of the city government. An ordinance drawn by him, providing for quarterly and annual accounts in a special shape, was passed by the Councils; and by its means the community, for the first time, were enabled to understand the management of their municipal affairs.

When the proposition for the amendment of the Constitution of Pennsylvania was first promulgated, he hesitated to join in the movement, although he was satisfied that certain alterations could be made which would prove beneficial. Having studied

the subject with his usual care, he prepared an address to the people of Pennsylvania, which was adopted at a town-meeting held in Philadelphia, and, having been circulated throughout the State, furnished the basis of the scheme of reform which was subsequently worked out by the convention and ratified by the people.

Soon after the accession of Martin Van Buren to the Presidency, Mr. Read was appointed United States District Attorney for the Eastern District of Pennsylvania, and held the office till 3d of March, 1841. After his resignation, Mr. Read was retained as the special counsel of the Government by the Solicitor of the Treasury, notwithstanding his adverse political position,—a compliment to his professional standing not less honorable to the appointing power than to him.

While officiating as District Attorney, he was appointed, by the Secretary of War, Judge Advocate of the Court of Inquiry upon Commodore Elliot, and was afterwards appointed to the same position in the court-martial constituted for the trial of that distinguished officer. Although much bitterness of feeling was manifested between the accusers and accused, and the feeling affected in no small degree the friends of the respective parties, every one paid tribute to the fairness, candor, and ability of the Judge Advocate; and the voluminous proceedings, embracing some fourteen hundred pages, exhibit not a single exception taken to his ruling by the very able counsel engaged in the defence.

Standing now in the foremost rank of his profession, eminent as well for the depth and variety of his learning as for his talents, he was designated by public opinion as the proper successor to Judge Baldwin. He was accordingly nominated, in 1845, to the Senate as a Judge of the Supreme Court of the United States. The nomination thus made, however, was not acted upon by the Senate. "There was"—says a biographer of Mr. Read—"an adverse influence in that body prescient of the future, and a Northern man with Southern principles was demanded for the position. To that influence, Mr. Read's unswerving fidelity to the law and the Constitution—which, it was well known, could not be made in his hands flexible instruments of a power in the State greater than the State itself—constituted an insuperable objection."

In 1846, Mr. Read was appointed Attorney-General of Pennsylvania, and held the office about six months, when he resigned.

For the twelve years that intervened between his relinquishing the office of Attorney-General and his election as Judge of the Supreme Court of Pennsylvania he pursued the practice of the law with unabated diligence, and prosecuted his studies with an ardor that would have done credit to a youthful aspirant to the honors of the profession. He made himself acquainted with all branches of the law, civil and criminal, municipal and federal, equity and admiralty, constitutional and international, and with all of them acquired a scientific familiarity. During the interval referred to, he was engaged in many important trials,—among the rest, in that of the United States *vs.* Hanway, in 1851, for treason. His speech, which was the closing one in the case on the part of the defence, and occupied the court during three days of its session, was a most masterly effort. In his preparation for trial he had studied thoroughly the English law of treason and our own, made himself familiar with the slave-codes of all the Southern States and the decisions of the courts under them, and was ready to answer any suggestion that might come from the opposite side. His speech was never fully reported. If it had been,—says a competent authority,—it would have settled the law of treason in the United States for the present century.

But, although now in the busiest part of his life, he found time to pay some attention to politics, and in 1849 attended as a delegate the Democratic Convention at Pittsburg, and successfully advocated the adoption of a resolution offered by Samuel W. Black, now Governor of Nebraska Territory, against the extension of slavery into the Territories of the United States. The resolution reads thus:—

“*Resolved*, That the Democratic party adheres now, as it ever has done, to the Constitution of the country. Its letter and spirit they will neither weaken nor destroy; and they redeclare that slavery is a domestic, local institution of the South, subject to State law alone, and with which the General Government has nothing to do: wherever the State law extends its jurisdiction the local institutions can continue to exist. Esteeming it a violation of State rights to carry it beyond State limits, we deny the power of any citizen to extend the area of bondage beyond its present dominion; nor do we consider it a part of the Constitution that slavery

should forever travel with the advancing column of our territorial progress."

In March following, Mr. Read, at a public meeting, made an elaborate speech in favor of the immediate admission of California into the Union as a *Free State*, and responsive to the Pittsburg resolution. In that speech "there is the breathing of the same spirit, and a strong avowal of the same doctrine, that six years later found sympathy and accord in the ranks of the new party organized under Republican leaders, and laid down in the celebrated platform on which the contest of 1856 was waged." Mr. Read, having disapproved of the repeal of the Missouri Compromise Act, took an active part in the animated contest of that year; and one of his speeches,—a calm and complete exposition of the claims of free white labor,—delivered in Philadelphia on the 30th of September, was printed and circulated as a campaign document.

In 1858, he consented to be a candidate for Judge of the Supreme Court of Pennsylvania, and, under the united support, most willingly concentrated upon him, of all the branches of the Opposition, he was elected by a triumphant majority of about twenty-seven thousand votes.

Of the character of John M. Read as a judge it may be properly said that his demeanor on the bench is highly satisfactory to the bar; and there can be scarcely the shadow of a doubt that his earnest desire to discharge honorably the duties of his high trust, aided by talents and acquirements of a superior order, will procure for him an enviable judicial reputation. He has fine health, a vigorous constitution, strong working powers, and, although about sixty years of age, has a fair prospect of full fifteen years of good service in any line of effort in which his mind may be employed.

Summing up Judge Read's position, a gentleman who has carefully studied the subject says,—

His opinions on the Slavery question, though temperately expressed, have been long consistently and firmly maintained, and his views as to the policy and necessity of encouraging and protecting American industry are the result of profound reflection and careful observation upon every branch of political science. His character is unassailable; there is no weak point in it that invites

attack or requires defence. His private and his public life have been, beyond suspicion, pure. Though he has never been in Congress, or served in the Cabinet, or represented the country in the Courts of Europe, he is better acquainted with the relative rights, duties, and interests of the nation, with our internal resources, our foreign and domestic commerce, with the mysteries of finance and the tidal movements of the currency, than many who have spent years in the halls of legislation or long worn the robes of office in high public positions. He possesses great discretion as well as firmness and courage, and caution in deciding as well as vigor in executing. He is not afraid to do right, nor can he be seduced to do wrong.

WILLIAM H. SEWARD,

OF NEW YORK.

WILLIAM HENRY SEWARD was born in the village of Florida, Orange County, New York, May 16, 1801. At the age of nine years he was sent to an academy in Goshen, which had numbered among its pupils Noah Webster and Aaron Burr. With a strong aptitude for knowledge, he rapidly advanced in his studies, so that before he was fifteen he was ready to enter college. In 1816, he was received into Union College, from which he was graduated with high honors. He studied law with John Anthon, in New York, and afterward with Ogden Hoffman and John Duer, at Goshen, and was admitted to the bar in 1822. In the following year he removed to Auburn, where he formed a partnership with Judge Miller, whose daughter he married in 1824. As a lawyer he soon became distinguished for originality of thought, independence of action, and an industrious devotion to his profession that brought him a large practice and a high reputation.

The attention of Mr. Seward was early called to political subjects. His father was an eminent Jeffersonian Republican, and the natural instincts as well as the early education of the son led him to adopt the same principles. In 1824, he was selected by a Republican county convention to prepare the usual address, although scarcely old enough at the time to be a voter. In several orations at this early period of his life we find the same fervent devotion to the cause of liberty that has ever since marked his public career. In 1827, he appeared as the champion of the struggling Greeks, and by his youthful eloquence secured large contributions to the fund raised in this country for their defence.

One of the largest political conventions that had ever assembled in the State of New York was held at Utica in 1828, composed of young men favorable to the election of John Quincy

Adams to the Presidency. Mr. Seward was called to preside over this convention; and the distinguished ability which he then manifested plainly indicated him as the future leader of the great party at that time rising into notice. The same year he was offered a nomination as a member of Congress, which he declined. The Anti-Masonic party, professing, as it did, to be engaged in vindicating "the supremacy of the laws," enlisted the sympathies and support of Mr. Seward at an early period. The repugnance he then imbibed against secret political action has never abated.

In 1830 he was elected a Senator of the State Legislature by a majority of two thousand, although his district had the preceding year given a large majority the other way. Not yet thirty years old, he entered the Senate, and, at the same time, became *ex officio* a judge in the highest court of the State, and the peer of men venerable in years and distinguished for talent and experience. He was politically in a small minority in the Legislature, at a time when party lines were strongly marked. The record of his career as a Senator and a judge, nevertheless, compares favorably with that of any of his associates. The abolition of imprisonment for debt, the melioration of prison-discipline, reforms in the militia system, opposition to corporate monopolies, the extension of popular franchises, the great cause of education, and the work of internal improvement, received a cordial and effective support from him during his term of four years. In some of the reported opinions pronounced by him as a judge, we find that he did not hesitate to vindicate the claims of justice even when opposed by the arbitrary and time-honored rules of law.

Mr. Seward found time during the recess of the Senate to make a hurried visit to Europe in the summer of 1833. His letters, upward of eighty in number, written during his few weeks' travel in Great Britain and portions of the continent, were published at the time, adding much to his growing reputation.

In 1834, Mr. Seward was nominated for Governor, but was defeated by Governor Marcy,—although in every county he ran ahead of his ticket. Among the charges brought against him in this and the subsequent successful canvass was "the atrocious crime" of being "a young man." But little over thirty, he had

dared to aspire to an office honored by such men as Clinton, Jay, Tompkins, and Lewis. He was, however, elected in 1838 over the veteran Marcy by more than ten thousand majority; and was re-elected in 1840,—an honor not conferred upon any of his successors of either party.

The Administration of Governor Seward was, in many respects, the most remarkable of any in the history of the Empire State, as well as the most important era in his public life; and many persons regard it as more influential in shaping the political issues which have since grown up in the country than any event of the last twenty-five years. But our limits will allow only a brief notice of some of its more important points.*

The untoward circumstances which met him at the entrance of his office—the unparalleled monetary pressure, the immense undertakings just assumed by the State in the enlargement and extension of the public works, the large number of applicants for office consequent alike upon the accession to power of a new party, and the revulsion of trade, which had thrown so many out of employment—altogether were enough to task the abilities of a much older and more experienced statesman.

Education, internal improvements, agriculture, the establishment and improvement of asylums, reforms in the courts and in the banking-laws and the militia system, the entire extinguishment of laws for imprisonment for debt, the settlement of the Anti-Rent troubles, the extension of political franchises to all classes of people, the encouragement of foreign emigration, and the repeal of several lingering statutes favoring slavery, as well as the enactment of new ones in opposition to it, were all subjects of Governor Seward's attention during his administration.

As early as 1820, during the discussion which arose on the "Missouri question," Mr. Seward, then yet in his "teens," began to discover, as he thought, an undue subserviency in the dominant party to slavery, its interests, and its power. When he became Governor, it was reasonably to be expected that, as a leader of the opposition to that party, he would, as far as he was able, give effect to the views he had adopted on that subject. Besides his instrumentality in securing the repeal of all laws in

* See vol. ii. "Works of W. H. Seward, Edited by Geo. E. Baker."

any manner upholding slavery, already alluded to, he procured the passage of acts giving fugitive slaves a trial by jury, and counsel to defend them at the expense of the State. A law was also passed empowering the Governor to send an agent into the Southern States to reclaim kidnapped colored men who had been freemen in New York.

During his Administration an important controversy arose between Governor Seward and the Governors of Virginia and Georgia. From both of these States it was alleged that slaves had been abducted by colored seamen belonging to New York, and carried to free States and set at liberty. The sailors charged with this offence against the laws of Virginia and Georgia were demanded of Governor Seward on requisitions issued by the Executives of those States. The abductors were arrested in the city of New York, to be taken to the State where the offence was committed, as soon as Governor Seward should grant the requisitions.

But he refused to deliver them up, on grounds clearly and ably stated in a series of letters to the Executives of Virginia and Georgia. The correspondence was protracted and earnest. Governor Seward, in his letters, maintained that the crimes contemplated by the Constitution, in its provisions requiring the rendition of fugitives from justice, were not such as depended on the legislation of a particular State, but such as were determined by some common standard to be crimes,—such as were *mala in se*. No State, he argued, could force a requisition on another State, founded on an act which was only criminal through its own legislation, but which, compared with general standards, was not only innocent, but humane and praiseworthy. A reference to the correspondence, as published in the Works of Mr. Seward, will show the arguments adduced on both sides. This controversy attracted the attention not only of the Legislatures of the several States, but of the whole country, North and South. The Legislature of New York, while it remained Whig in politics, sustained Governor Seward in the matter; but upon the accession of the Democrats to power they passed resolutions denouncing his course, and requested him to transmit the resolutions to the Governor of Virginia, which he declined to do. Virginia, and other States in sympathy with her, threatened retaliatory mea-

asures, designed to injure the commerce of New York. But this produced no change in the decision of Governor Seward.

A similar instance of his firmness and sagacity was exhibited in the "McLeod case." Alexander McLeod, a British Loyalist, charged with burning the American steamer *Caroline* during the Canadian Rebellion in 1837, was arrested and committed to jail in the State of New York to await his trial for the offence. The British Minister alleged that the act was one of war, for which his Government should be held responsible. He therefore demanded the release of McLeod; menacing hostilities in case of a refusal. President Tyler's Administration—Mr. Webster being Secretary of State—counselled compliance, and urged Governor Seward to surrender the accused. Many of Governor Seward's friends also advised him to the same course. But he resolutely resisted the demand of the British Government, and refused to adopt the timid policy of President Tyler. His bold and independent stand sustained the honor of his country; and the fortunate conclusion of the matter restored public tranquillity and strengthened Governor Seward's Administration in the hearts of the people.

His recommendations of various reforms were conceived in the same original and independent spirit. None, probably, encountered more obloquy and prejudice than his plan for affording education to children of foreign parentage. He was most unjustly charged with political designs in endeavoring to secure the privileges of the common school to all classes and conditions of the people. So, also, were his efforts to surround the foreign immigrant, on his landing upon our shores, with the safeguards of legal protection, imputed to the same sinister motives. But he has lived to see both of these measures adopted, and acquiesced in by the whole people.

His messages to the Legislature are regarded as model state papers, abounding in lofty views and original conceptions. He rarely used the veto; but on one or two occasions he did not hesitate to object to legislation originating with and passed by his own political friends. In his appointments to office he exercised an independence of judgment that in some cases engendered personal hostilities not yet subdued. In the use of the pardoning power he sometimes denied applications supported by personal

and political friends, while he granted those which he could not but foresee would bring upon him a flood of abuse and misrepresentation.

Mr. Seward, declining a nomination for another term, returned to Auburn in January, 1843, to resume the practice of law.

During the ensuing six years he devoted himself, with untiring assiduity, to his profession, rapidly repairing the neglect it had suffered during his public service. His practice was varied and extensive, but a peculiar aptitude for mechanical science gave him a large and lucrative share of patent-cases. At the same time, his generous and humane disposition led him often to engage in the defence of persons unjustly accused of crime or entirely destitute of money and friends. A number of remarkable cases, in which he not only gave his professional services, but contributed largely from his purse in behalf of friendless clients, are to be found in the criminal reports of the New York courts. In the case of William Freeman, a crazy, idiotic negro, who killed a whole family in Mr. Seward's own county, he not only sacrificed much valuable time and expended a large sum of money in procuring the testimony of the ablest physicians and superintendents of insane-asylums to be found in the United States, but encountered the threats and contumely of the excited populace, who were determined that no plea of insanity or other defence should save the wretched negro from the gallows. But Mr. Seward, convinced from the first that Freeman was wholly irresponsible, determined to undertake his defence, notwithstanding his personal friends were unanimous in dissuading him from such a course and in his absence had promised the enraged people that he would not engage in it. Mr. Seward never forsook the case until the death of his client, caused by a disease of the brain, satisfied even the most prejudiced that his course had been as wise as it confessedly was humane and generous.

In 1847, a number of persons in Cincinnati solicited Mr. Seward to appear as counsel for John Van Zandt, charged with aiding fugitive slaves to escape from Kentucky. The case was tried in the United States Circuit Court, and Mr. Seward's argument has been pronounced "a masterly exposition of the inhumanity and unconstitutionality of the Fugitive-Slave Act."

In 1851, he went to Detroit to defend a number of persons

charged with a conspiracy, only one lawyer in Michigan being willing to act as their counsel. The trial lasted four months, during which he examined over four hundred witnesses, and, in a speech which occupies one hundred pages of the report, commended the case to the jury with such effect as to secure the acquittal of thirty-eight of the fifty men on trial. Mr. Seward also, in several instances, was counsel for editors charged with libel. His defence of the liberty of the press in these cases is worthy of his reputation as a man and as a lawyer.*

Besides all this professional labor, Mr. Seward's services in various political campaigns, and especially in the Presidential election of 1844, were often in requisition, both at home and abroad. His speeches in favor of a tariff and against the annexation of Texas were among the most profound and effective arguments of that disastrous contest. It was mainly owing to Mr. Seward's efforts that the defection in the western part of New York from the support of Mr. Clay was not much greater than it was, especially after Mr. Clay's *quasi* approval of the annexation of Texas in his Alabama letter. Mr. Seward, in this election, as at all other times, resolutely discountenanced all political issues based on nationalities and conscience.

In a speech at Utica in 1844, after denouncing the proposition to disfranchise citizens of foreign birth, the outrages committed upon them in Philadelphia, and the recent acts of British oppression, he used the following language :—

“In this hour of trial I have come here freely to declare before my countrymen—and, if my voice could reach the region of thrones, to declare before principalities and powers—that the injuries inflicted upon Irishmen in America are a flagrant violation of law, of Constitution, of liberty, and of humanity. I know indeed what this declaration costs. It may give comfort to the poor and desponding exile, and awaken feelings of kindness in his bosom toward me, but it will offend very many of my own countrymen. Be it so. I desire the respect and regard of my own countrymen, but I would rather have the gratitude of one desponding and depressed fellow-man than the suffrage of the whole American people given to me in consideration of denying any true principle of free government or repressing any impulse of humanity.”

* The arguments in the foregoing cases will be found in vol. i. of “Seward's Works.”

Mr. Seward's uncompromising hostility to the extension of slavery led him to oppose the annexation of Texas and the Mexican War to the last. But it is justice to him to state that he at the same time advocated the support of the army called into service by the United States Government; and in the same spirit he agreed with John Quincy Adams in sustaining Mr. Polk's Administration in its controversy with the British Government on the subject of the Oregon territory, regardless of any fears of a war with that Power.

In 1846, Mr. Seward was among those who favored the calling of a convention to revise the Constitution of the State of New York. He hoped thereby to secure many reforms for which he had labored all his public life. He was, in the result, gratified in seeing the political power of the State decentralized by the transferring of the appointment of a large number of officers from the Governor and the Legislature to the people, and in the general adoption of the views he had expressed in his Executive messages and other public addresses. He only regretted that the right of suffrage was not by the new Constitution made universal, with no reference to property-qualifications.

In September, 1847, Mr. Seward was invited to deliver an oration in New York on the life and character of Daniel O'Connell. This is regarded as one of his most brilliant oratorical productions. It is full of historical and classical allusions and passages of thrilling pathos and fervent eloquence.

In April, 1848, he delivered a eulogy on John Quincy Adams before the Legislature of New York, which was distinguished for its felicitous diction and faithful delineation of the character of the departed statesman.

The nomination of General Taylor in 1848 received Mr. Seward's support, and he early became one of the leading public speakers in the canvass. He now, as heretofore, made the great principles of freedom the prominent topics of his speeches, and was everywhere greeted with the unanimous and hearty applause of his audiences. At Cleveland, Ohio, in a speech of great boldness and power, he laid down the following principles as his political platform:—

“First. Our duty is to preserve the integrity of the Union. This Union must be a voluntary one. A Union upheld by force would be a despotism.

"*Second.* Our democratic system must be preserved and perfected. That system is founded in the natural equality of all men: not alone all *American* men, nor alone all *white* men, but all *MEN*, of every country, clime, and complexion, are equal,—not made equal by human laws, but born equal.

"*Third.* Knowledge ought to be diffused, as well for the safety of the state as to promote the happiness of society.

"*Fourth.* Our national resources, physical, moral, and intellectual, ought to be developed and applied to increase the public wealth and enhance the convenience and comfort of the people.

"*Fifth.* Peace and moderation are indispensable to the preservation of republican institutions.

"*Sixth.* Slavery must be abolished."

Again, in the city of New York, he proclaimed the same sentiments to an immense meeting in Vauxhall Gardens; and at Boston, Philadelphia, and other places to which he was invited, the spirit of his speeches was the same. In city and country the response of the people was alike spontaneous and sincere.

The election of General Taylor, connected with a Whig majority in Congress and in the Legislature of New York, seemed to be a favorable indication for the policy with which Mr. Seward was identified. It was therefore by almost common consent that he was selected to fill the place in the Senate of the United States about to become vacant by the expiration of Mr. Dix's term. The vote in the Legislature stood, for Mr. Seward, 121, and for all others, 30.

In February, 1849, he arrived in Washington, before the commencement of his Senatorial term, in time to assist in defeating the famous "Walker amendment," which, in effect, would have admitted slavery into all the territory recently acquired from Mexico,—California included. Mr. Seward very soon secured the confidence of President Taylor, and during the remaining life of that illustrious man was one of his most intimate friends and counsellors. The President's policy in relation to the admission of California as a free State received Senator Seward's hearty support, and he was almost immediately regarded in Congress as the leader of the Administration party. The untimely death of General Taylor put an end to these relations, and eventually led to the complete overthrow of the party which brought him into power.

Of the exciting contest which followed the introduction of the Compromise measures into the Thirty-First Congress, and of the several able speeches made by Senator Seward during that memorable session, only a brief notice can be taken.

Mr. Clay, Mr. Webster, General Cass, and other leading statesmen, believed that the Union was at stake, and that the adoption of the so-called Compromise measures was essential to its preservation. Mr. Seward maintained opposite views. With prophetic sagacity, he predicted, as the result of a yielding to the claims of the Compromise party, the very ills which it is believed have since been realized in the Kansas legislation.

It was during the discussion of these celebrated measures that Mr. Seward used the phrase "*the Higher Law*," which has acquired so wide a fame. The sentiment, so startling at the time, was by no means new with Mr. Seward. He had, in 1847, in his argument for Van Zandt, accused of aiding fugitives from slavery, declared, in the Court of the United States, that "Congress has no power to inhibit any duty commanded by God on Mount Sinai or by his Son on the Mount of Olives." The idea pervades all his writings and governs all his actions.

In the same speech* Mr. Seward's position on the subject of slavery is briefly but clearly stated :—

"I feel assured that slavery must give way, and will give way, to the salutary instructions of economy and to the ripening influences of humanity ; that emancipation is inevitable and is near ; that it may be hastened or hindered ; that all measures which fortify slavery or extend it tend to the consummation of violence,—all that check its extension and abate its strength tend to its peaceful extirpation. But I will adopt none but lawful, constitutional, and peaceful means to secure even that end ; and none such can I or will I forego. Nor do I know any important or responsible political body that proposes to do more than this. No free State claims to extend its legislation into a slave State. None claims that Congress shall usurp power to abolish slavery in the slave States. None claims that any violent, unconstitutional, or unlawful measure shall be embraced. And, on the other hand, if we offer no scheme or plan for the adoption of the slave States, with the assent and co-operation of Congress, it is only because the slave States are as yet unwilling to receive such suggestions, or even to entertain the question of emancipation in any form."

* March 11, 1850.

After passing the Compromise measures, Congress adjourned. The second session commenced in December, 1850. The subject of the gratuitous distribution of the public lands had then been but little discussed in Congress. Mr. Seward, in February, 1851, in an elaborate speech reviewed the whole subject; advocating, in a clear and dispassionate manner, the principles now embraced in what is called "the Homestead Bill." "A home," he remarks, "is the first necessity of every family: it is indispensable to the education and qualification of citizens. He who reclaims an acre of land from the sterility of nature and brings it into a productive condition confers a greater benefit upon the state than valor has often the opportunity to bestow." Mr. Seward also, at this session, delivered a speech remarkable for its luminous analysis of the claims for indemnities for French Spoliations.

In December, 1851, he submitted a resolution offering a cordial welcome to Kossuth, and in two different speeches of fervid eloquence presented the claims of the Hungarians to the admiration of American freemen. In another speech he took occasion to renew his expression of deep interest in the cause of "Freedom in Europe" on a resolution of sympathy with the exiled Irish patriots. His speeches on the Survey of the Arctic and Pacific Oceans, the American Whale-Fisheries, and American Steam-Navigation, are remarkable for their practical character, the variety and accuracy of their statistics, and the glowing patriotism with which they are inspired.

The Thirty-Second Congress appears to have been occupied by Mr. Seward in the advocacy of measures of great practical interest. His speeches in favor of the Continental Railroad, against the removal of the duties from railroad-iron, and on Texas and her creditors, like those of the former session, were marked by an admirable union of statistics, cogent argument, and rare sagacity. In the first he pays a tribute to John Quincy Adams as the author of the Monroe doctrine, and with a keen but pleasant satire reviews a recent speech made by General Cass on the same subject. In the course of his remarks, Mr. Seward thus states his views on the question of the acquisition of Cuba:—

"While I do not desire the immediate or early annexation of Cuba, nor see how I should vote for it at all until slavery shall have ceased to counteract the workings of nature in that beautiful island,—nor even then, unless

it should come into the Union without injustice to Spain, without aggressive war, and without producing internal dissensions among ourselves,—I nevertheless yield my full assent to the convictions expressed by John Quincy Adams, that this nation can never safely allow the island of Cuba to pass under the dominion of any Power that is already or can become a formidable rival or enemy.”

During the summer of 1853, after the adjournment, Mr. Seward was engaged in the trial of several important causes. He, however, found time to prepare two orations,—one delivered at Columbus, Ohio, at the dedication of a University, on “The Destiny of America;” and the other before the American Institute, in the city of New York, entitled “The True Basis of American Independence.” Both of these addresses were regarded with distinguished favor, and possess a value beyond the occasions which called them forth.

The Presidential election of 1852 resulted in the overwhelming defeat of the Whig party. Mr. Seward had favored the election of General Scott, although unable to sanction the platform adopted by the convention which nominated him. During the canvass, it was charged that General Scott intended, if successful in the election, to make Mr. Seward Secretary of State. With his accustomed frankness and fidelity, Mr. Seward publicly announced his determination to accept no office from the hands of General Scott under any circumstances. This had been his course heretofore with previous Administrations, and it was not now to be changed.

It was, of course, under very discouraging auspices that Mr. Seward resumed his seat in the Senate after Mr. Pierce’s election to the Presidency. His party was destroyed; and in the opinion of many he was himself not only overthrown, but politically annihilated. But neither his speeches nor his public conduct bore any traces of his disappointment. He at once devoted himself to the business of the session with his characteristic calmness and assiduity.

Mr. Seward, early in the session of the Thirty-Third Congress, introduced a bill for the construction of a railroad to the Pacific, and another for the establishment of steam mails between San Francisco, China, Japan, and the Sandwich Islands. Among other measures which received his assiduous attention during the session were the modification of the Tariff, the Homestead Bill,

Miss Dix's bill for the relief of the insane, and the regulation of vessels engaged in transporting foreign immigrants to this country.

But all these measures were soon laid aside, and made to give way to a bill introduced by Senator Douglas for the organization of the Territory of Nebraska.

This bill, as it explained itself, applied to Nebraska the policy established in 1850 in regard to Utah and New Mexico, and repealed the Missouri Compromise of 1820. It met, it is unnecessary to say, the continued and powerful opposition of Mr. Seward. His first speech against it, entitled "Freedom and Public Faith," is a profound and dispassionate argument, which, although it failed to prevent the accomplishment of the measure in Congress, served to rouse the people of the free States to a spirit of resistance to the aggressions of slavery not yet subdued. His second speech, scarcely less elaborate, was delivered at the close of the debate. It reviewed the arguments which had been offered in defence of the bill with clearness and power, and, at the same time, presented the methods by which the people of the North could defeat its calamitous tendencies. After a momentous struggle the bill passed, and was signed by President Pierce on the 26th of May, 1854. During the discussion, a memorial remonstrating against the measure, signed by three thousand clergymen of New England, was presented to the Senate by Edward Everett. It was attacked with great vehemence by the friends of the bill, and defended by Mr. Seward with equal vigor and acumen. In his speech he maintains the right of petition on broad and impregnable grounds.

After the decease of Henry Clay and Daniel Webster, Mr. Seward delivered in the Senate a chaste and discriminating eulogium upon each of those illustrious statesmen.

In addition to the elaborate speeches already mentioned, Mr. Seward often took part in incidental but important debates, of which also a record has been made in his published works. His speeches and remarks have not only been heard in the Senate, where they were delivered, but will be read with profit and instruction by the present and future generations.

Just before the adjournment of Congress,* Mr. Seward de-

* July 26, 1854.

livered the annual oration before the Literary Societies of Yale College, on which occasion he received the honorary degree of Doctor of Laws. The subject of his discourse was "The Physical, Moral, and Intellectual Development of the American People."

In October, he made an elaborate argument in the Circuit Court of the United States, in the "McCormick Reaper Case," which, with other professional and private business, occupied his time during the recess of Congress.

The second session of the Thirty-Third Congress commenced in December, 1854. Mr. Seward renewed his labors in behalf of many of the measures which failed at the preceding session. He steadily opposed the bill to increase the salaries of the Judges of the Supreme Court and the pay of members of Congress. He made an effective speech in favor of the extension of the Bounty Land Laws to the volunteers and militia who had been in actual service.

On presenting a petition from a large number of unemployed workmen in favor of the Homestead Bill, he briefly portrayed the distress which had overtaken the mechanics and workingmen of the country, and urged the passage of the measure prayed for as a wise and unexpensive means of relief.

Mr. Seward's speeches on Internal Improvements, the Pacific Railroad, the Tariff, Mail-Steamers, and Duties on Railroad-Iron, were generally regarded as among the most effective arguments made in behalf of those great measures during the session.

Near the close of the session, Senator Toucey introduced a bill to protect the officers of Government in the execution of the Fugitive-Slave Act. Mr. Seward, in a speech of stirring eloquence, opposed the measure as an encroachment on the liberties of the people. The bill passed the Senate, but failed in the House. A substitute proposed during the debate, repealing the Fugitive-Slave Act of 1850, received Mr. Seward's affirmative vote.

The Thirty-Third Congress ended March 4, 1855. In the month of February preceding, Mr. Seward had been re-elected to his seat in the Senate for another term of six years. Notwithstanding a most determined opposition both from the Democratic and American parties, his triumph in the election was no less

decisive than remarkable. His vote in the Legislature was 87, against 19 for Mr. Dickinson, 12 for Horatio Seymour, 9 for Washington Hunt,—his principal competitors,—and 30 scattered among Messrs. Allen, Dix, Fillmore, and others. This result was as unexpected to his opponents as it was gratifying to his friends.

The news of his election, as it spread throughout the free States, was received with demonstrations of rejoicing almost unprecedented in political annals. The contest, which had been long and apparently doubtful, was everywhere regarded as between the party of freedom and its opponents. The victory was, therefore, considered something more than a personal triumph. The numerous friends of Mr. Seward outside of his political party were, however, scarcely less joyous over his success. In Washington especially, where Mr. Seward had now resided nearly six years during the sessions of Congress, the people, without regard to party, were sincere and hearty in their congratulations. On his return to Auburn after the extra session of the Senate, he was offered, at various places on his route, a public reception, which he respectfully but firmly declined.

In the autumn of 1855, during the canvass of the annual State election, Mr. Seward delivered three remarkable speeches, at Albany, Auburn, and Buffalo. They marked the political issues of the times with a bold and original hand. Their circulation in newspapers and pamphlets was immense, lasting through the Presidential campaign the following year. Even President Pierce, in his Annual Message, considered it not inappropriate to allude to the startling sentiments avowed in these speeches.

On the 22d of December, 1855, Mr. Seward delivered an oration at Plymouth, Mass., in commemoration of the landing of the Pilgrims, which received unusual attention both for its eloquence and happy presentation of the doctrines of liberty and equal rights.

On the assembling of the Thirty-Fourth Congress, Mr. Seward entered with his accustomed punctuality and industry upon the duties of the session. The Kansas difficulties, it will be recollected, were the principal topics of discussion during this excited and protracted session. Mr. Seward's speeches were elaborate and exhaustive, while his labors in council and debate

were at all times arduous and important. The time is too recent to need in this place a particular history of that remarkable controversy,—if indeed it were possible now to make it impartial or entirely candid. A reference to the official debates and to the published speeches of Mr. Seward will best show the distinguished part he bore in that important contest.

On the 22d of May, 1856, Senator Sumner was assaulted in the Senate-chamber, after the adjournment of the Senate, by Hon. Preston S. Brooks, of South Carolina, and very seriously injured. The attack was occasioned by a speech made in the Senate by Mr. Sumner during the Kansas debate. On the next morning after the assault, Senator Wilson, Mr. Sumner's colleague, brought the subject before the Senate. Mr. Seward, after waiting a reasonable time for some other Senator to move, offered a resolution appointing a committee of inquiry into the matter. According to parliamentary usage, it is claimed, Mr. Seward should have been a member of that committee, and at its head. But the selection of the committee was made by ballot, instead of being left, as usual, to the President of the Senate. Neither Mr. Seward nor any of his political friends were elected to a place on the committee. But neither this apparent unfairness, nor the intimacy of the friendship existing between Mr. Seward and Mr. Sumner, nor any of the extraordinary circumstances of the case, were sufficient to betray Mr. Seward into any undignified or passionate remarks, nor in any manner to prevent his impartial discussion of the whole subject. His speeches and remarks, however, during the debate which followed were not wanting in indignant eloquence and manly rebuke.

At the extra session, in August, Mr. Seward made two able speeches on the "Army Bill," in which he also discussed the affairs of Kansas as they were incidentally affected by the bill.

After the close of his Congressional labors, arduous and exhausting both from the circumstances and the unusual length of the two sessions, Mr. Seward returned to Auburn to attend to his private affairs and to seek repose. But the Presidential election almost immediately called him to engage in the canvass. Some of his friends had been disappointed that his name had not been placed at the head of the Republican ticket, instead of Colonel Frémont's; but no disappointment on his part, if he

felt any, prevented him from entering the contest with unabated zeal and energy. Two of his speeches—at Auburn and Detroit—were of more than ordinary ability, and were widely read all over the country, even after the election had passed.

The election resulted in the success of Mr. Buchanan. Congress assembled again in December. Among the earlier proceedings of the Senate was the announcement of the death of John M. Clayton. Mr. Seward pronounced an eloquent and feeling eulogium upon that distinguished statesman, whom he numbered among his earliest friends.

In a speech of great research Mr. Seward advocated the claims of the Revolutionary officers, showing that the relief proposed was in accordance with the wishes and cherished policy of General Washington. Mr. Seward was among the leading advocates of affording Government aid to the proposed Atlantic Telegraph. His speeches and labors on the subject were largely instrumental in securing the favor of Congress to the project. In the same spirit he supported the bill for extending a telegraph-line to California and the Pacific coast.

The overland mail-route to San Francisco was also a favorite project with Mr. Seward. Next to a railroad to the Pacific, he deemed this of the greatest importance, and gave it his effective support. And it may here be remarked that no sectional prejudices ever influenced Mr. Seward in his advocacy of either of these measures. He always supported both, whether the route was "Northern," "Central," or "Southern," even when, in doing so, it was necessary to separate himself from all his political friends.

The subject of revising the Tariff was discussed with much earnestness in the Senate just before the adjournment. Mr. Seward, consistently with his whole public life, advocated such a discrimination in duties upon imports as would best protect the industry of the country. While he would carefully guard all the great interests of the people,—the raising of wool and the manufactures of the North, or the growing of sugar and cotton in the South,—he was especially opposed to any relaxation of the tariff upon railroad-iron or other articles of that material. His views of the importance of the iron-interest are strongly stated in the following extract from a speech in 1853 :—

"Sir, I think my votes have shown that I have a correct appreciation of the great advantages to the United States which have resulted from the acquisition of the gold of California. But if I were required to choose to-day between the wealth that slumbers in the Sierra Nevada and colors the sands in the bottoms of the streams of California, and the iron that lies in the unopened mines of Maryland, Pennsylvania, New York, and New Jersey, I should decide—promptly decide—decide at once—to renounce the gold and save the iron. But, when I have enumerated these States, I am conscious that I am only on the verge of the iron-region of this broad continent. It extends through Vermont, Ohio, Kentucky, Tennessee, Missouri, and Nebraska. Sir, we are making iron roads across this continent. And what is now proposed? It is to bring the iron from England to make roads over the iron and coal beds of the Alleghanies and of Missouri and our Western Territories. There must be an urgent necessity for this, or the Senate would not, under such circumstances as these, listen to a proposition so novel and extraordinary, so contrary to all our settled principles of political economy."

With the inauguration of Mr. Buchanan came the Dred Scott decision. Mr. Seward, in one of his speeches, reviewed this decision and the President's connection with its announcement with considerable severity. On another occasion, he gave notice of a plan for reorganizing the United States Courts, so as to give a more equable representation of all sections of the Union on the bench, and also to increase the facilities for obtaining justice in these courts in the growing West. He proposed to do this, he said, within constitutional limits, and in a manner that should be satisfactory to all candid minds.

Mr. Seward's speeches in the Thirty-Fifth Congress were more numerous and on a greater variety of subjects than usual. On the second day of February, 1858, the President sent a message to Congress with the "Lecompton Constitution," recommending the admission of Kansas into the Union under that instrument. For nearly three months this formed the constant subject of debate in both Houses. The bill, introduced by Senator Green, carrying out the President's recommendation was opposed with uncommon ability by Mr. Seward, as well as by Mr. Douglas and others never before acting together upon political questions.

"The announcement," said a Democratic journal of the next day, "that Senator Seward would speak on Kansas crowded the House to the same extent as on Monday, (when the debate was opened.) There was, however, much more attention than on the former occasion. The gal-

leries were quiet, that in the rear of the reporters' being unusually so,—which told of the presence of a very different audience. More than all, complete order reigned in the body of the chamber. The Senators were quiet and attentive. Their bodies were calm, because their heads were engaged in listening.

"The speech was a simple and forcible effort, careful in language, free from ornament,—almost too parsimonious in this respect for a popular speech,—broad in its peculiar views, and only narrow in the persistency with which the speaker built up political fabrics without the slightest consideration of the Southern material in the present fabric of the Union. His manner was graceful without affectation, easy without heaviness, and bold without being bombastic. It was pleasant to hear, even if you disagreed with the philosophy and condemned the polite and well-tempered effrontery with which Southern hopes were treated as chimerical. . . .

"The Senator then proceeded to give a concise account of Congressional intervention since 1820. Eighteen States have been added to the original thirteen without any serious commotion occurring. Now Minnesota and Oregon were undergoing the process, which goes on so quietly that few see that we are consolidating an empire on the shores of Lake Superior and even at the very gates of the Arctic region. Of the eighteen States, nine tolerated and nine rejected slavery: still, there was no extraordinary excitement; but now the struggle for the balance of power makes things different. Free labor and slave labor met face to face in the desert, and the struggle was going on for mastery between them.

"He argued that free labor would spread and overrule all else. Free labor rules in California. It invades you in Delaware, Maryland, Virginia, and Missouri. It will meet you in Arizona, in Mexico, in Central America; ay, it will meet you in Cuba. If even Senator Seward believed in the extension of slavery, he would not press it any further in Kansas. The attempt, he said, has been frustrated at every point. He believed in the isothermal line to some extent; but he could not readily find one out. Clearly, thirty-six degrees thirty minutes was too far north."*

The measure was carried through the Senate by a vote of 33 to 25; but, having been afterward rejected in the House, a Committee of Conference was appointed.† Mr. Seward was appointed one of the managers on the part of the Senate. He of course dissented from the English Bill, and from first to last opposed any surrender of the principle that the people of Kansas should be left perfectly free to decide upon their own organic law. The closing scene was thus described in the Democratic journal pre-

* "The States," March 4, 1858.

† See under the head of "Crittenden," p. 137.

viously quoted. It was the last of April. Mr. Seward had the floor. He compared the Conference (or English) Bill to Red-heifer's perpetual motive-power and Maelzel's automaton chess-player. Like them, it deceived nobody save those wishing and willing to be deceived.

"The submission or non-submission of the bill was a block in his path. He should get rid of it. On looking into the bill, he was satisfied that by it the Constitution was not submitted; and then, again, in the course of his researches, he discovered that the bill did submit the Constitution. If the dowry was accepted, the Constitution was submitted; if the dowry was rejected, the people have no power to speak on the Constitution. He found himself in a dilemma, but he was determined to find out how the matter really stood. In doing so, he quoted from the explanation of Mr. S. S. Cox, of Ohio, in the House, who said that provision was made in the new bill to take the sense of the people, but that the Constitution was not submitted. As for the Senator from New York, he was born with an aversion to compromises, and he has been getting more suspicious of them every day since. He now sets his face as flint against them. On this flag of truce he saw stains of blood. It was a piratical flag.

"At half-past two o'clock Senator Bigler begged to interrupt Senator Seward, to say that the bill under discussion had passed the House of Representatives. There was not the slightest interest shown in the galleries nor in the chamber, the majority of the Lecomptonites being absent in the House, no doubt. Soon after, Green came in and took his seat in a state of victorious excitement. Wilson followed in a few moments, rather paler than when he went out. Taking his seat, he told the House majority (nine) to Foot and Fessenden,—the former of whom took it with the benignant smile peculiar to him. Houston whittled his stick as though nothing had happened. Broderick, Benjamin, Iverson, and Toombs, the most excitable men, kept their seats; while Slidell carried the news from group to group behind the bar, and disappeared from the chamber.

"The news seemed but to invigorate the Senator from New York. He went on speaking vehemently against the measure. He did not allude to the passage of the bill in the other House for some twenty minutes,—much to the dissatisfaction of all, who evidently were anxious to see how he would take it. Alluding to it at length, he said, with his usual *sang froid*, that it produced on him no sense of discouragement. For freedom in Kansas he had no such concern as for where he would sleep to-night. Kansas is the Cinderella of the Union; but she will live and survive the persecution.

"In the course of his speech, the Senator from New York said he was not an amalgamationist; for even when a child, and he beheld Othello on

the stage, he knew, when he saw the Moor wedded to the fair daughter of the Senator of Venice, in the first act, that disturbance would follow in the second, and desolation and death be the result.

"The Senate was very soon crowded on the floor and galleries. Douglas entered about fifteen minutes before three, and, silently taking his seat, was soon in a revery, from which he in a few moments escaped into a conversation with Stuart, of Michigan. Senator Bigler had something to say; but, as Seward had admitted that the passage of the bill by the House had ended the matter, he would yield to have the vote taken.

"At five minutes before three, the Clerk of the House of Representatives brought a message to the Senate, formally informing the latter of the concurrence of the House with the Conference Report.

"The question being called, a discussion took place as to the legal mode of proceeding with the vote. Senator Douglas said it was believed by a large number of Senators that they could not act, except on the message and bill from the House. Senator Hunter agreed to this; but Senator Green would not listen to it. There was only one question upon which the Senate could vote; and that was, whether it would concur or not concur with the Conference Report. After much pleasant discussion, the calling of the roll on that question was commenced at ten minutes past three. The vote stood—yeas 31, nays 22, as follows:—

"Yeas.—Messrs. Allen, Bayard, Benjamin, Biggs, Bigler, Bright, Brown, Clay, Davis, Evans, Fitzpatrick, Green, Given, Hammond, Houston, Hunter, Iverson, Johnson of Arkansas, Johnson of Tennessee, Jones, Kennedy, Mallory, Mason, Polk, Pugh, Sebastian, Slidell, Thompson of New Jersey, Toombs, Wright, and Yulee.—31.

"Nays.—Messrs. Broderick, Cameron, Chandler, Collamer, Crittenden, Dixon, Doolittle, Douglas, Durkee, Fessenden, Foot, Foster, Hale, Hamlin, Harlan, King, Seward, Simmons, Stewart, Trumbull, Wade, and Wilson.—22.

The speeches of Senator Seward made during these discussions are masterly exhibitions of his views on the whole subject, and together form quite a history of Kansas affairs in Congress and in the Territory.

In the matter of increasing and strengthening the army to suppress the rebellion in Utah, Mr. Seward took high and patriotic grounds, separating himself, to some extent, from his political associates in the Senate. Indeed, his speeches and votes on this subject created not a little excitement and dissent among his friends throughout the country. But in this case, as in others already noticed, Mr. Seward adopted that course which he believed duty and patriotism dictated, relying on time and history to vindicate its wisdom and policy.

The aggressions committed upon American vessels in the Gulf of Mexico by the British cruisers received the earnest condemnation of Mr. Seward. He boldly insisted upon reparation being demanded by our Government at all hazards.

He voted to admit both Minnesota and Oregon into the Union as States, although he objected to some of the proscriptive features contained in the Constitution of Oregon.

The Pacific Railroad, Treasury Notes, the expedition of William Walker, and Rivers and Harbors, are some of the other subjects upon which Mr. Seward made interesting speeches, more or less elaborate.

The death of his friend and fellow-Senator, Thomas J. Rusk, was the occasion of one of Mr. Seward's most eloquent efforts. His eulogium on the Texas Senator is regarded as one of the best specimens of mortuary eloquence ever listened to in the Senate. At the same session he delivered appropriate but brief eulogies on the characters and services of James Bell, late a Senator from New Hampshire, and J. Pinckney Henderson, of Texas, who died after three months' service in the Senate as the successor of General Rusk.

After the adjournment of Congress, Mr. Seward was engaged for several weeks in the United States Courts. His argument in the Albany Bridge case is regarded as one of his ablest forensic efforts, showing a remarkable knowledge of the subject of navigation and the constitutional questions involved.

In the autumn, (1858,) Mr. Seward, as usual, was called to take part in the canvass for the annual elections. The contest was for State officers and members of Congress. His speeches created a wide sensation, and were believed by many to have been the means of securing to the Republican party a large majority in the State. His speech at Rochester, especially, produced a decided effect throughout the United States. It was very severely criticized by the Democratic press, and its sentiments denounced as dangerous and revolutionary. Mr. Seward's friends, however, regarded it in a different light, and defended it by comparing it with his previous declarations and with the opinions of eminent men of the past and present.

The last session of the Thirty-Fifth Congress met in December,

1858. A determined and nearly successful effort was made at this session to pass the Homestead Bill. Mr. Seward, with Mr. Wade, of Ohio, and others, were indefatigable in their exertions to secure its success in the Senate,—it having passed the House by 120 to 76. But in vain. The Cuba Bill supplanted it, and occupied the attention of the Senate until the final adjournment. Mr. Seward's speeches on both of these measures were brief but forcible; while his parliamentary efforts to secure the passage of the former and the defeat of the latter were unremitting and sagacious. No less important and zealous were his labors to push through a bill to construct a railroad to the Pacific. An examination of the votes in the Senate upon various questions connected with this measure will show—what has already been stated—that Mr. Seward, while of course preferring a central or Northern route, steadily supported the project, however located. He also warmly seconded the recommendations of President Buchanan in regard to increasing the Tariff, and by a conciliatory course of argument endeavored to secure the favorable action of the Senate on that important subject.

The speeches and writings of Mr. Seward have been collected and published in three large octavos, (rumor says a fourth is in preparation,) under the editorial auspices of George E. Baker, Esq. They have been more widely read, it is stated, than the works of any other living statesman. It has been impossible, in this article, to do more than sketch the career of one whose life has been so industriously occupied in public service. The record of that service is his only complete biography.

Mr. Seward is now among the prominent statesmen named for the Presidency. What his own wishes or views are on that subject we have no means of knowing, except from the sentiments he has expressed in public.

In a letter to John Quincy Adams, in 1841, he says,—

“As to the future, I await its development without concern,—conscious that if my services are needed they will be demanded, and, if not needed, that it would be neither patriotic nor conducive to my happiness to be in public life.”

And in a speech made in New York, in 1848, while alluding to the defeat of Mr. Clay, he said,—

“What is the Presidency of the United States, compared with the fame of a patriot statesman who triumphs over popular injustice and establishes his country on the sure foundations of freedom and empire?”

To a delegation of friends, in 1854, who urged him to adopt the Know-Nothing policy as a sure road to the Presidency, he exclaimed, with emphasis, “Good God, gentlemen! is there nothing worthy of a man’s ambition but the Presidency?”

HORATIO SEYMOUR,

OF NEW YORK.

THE public life of Mr. Seymour is identified with the stormiest period in the history of the New York Democracy. To record it will necessarily involve some reference to the troubles and dissensions which marked those unhappy days and entailed disaster on the party in local and national affairs: this, however, shall be as brief as the importance of the matter and its relevancy to our subject will permit.

Horatio Seymour was born in Pompey, Onondaga County, New York, in the year 1811. His family—originally from Connecticut—extend far back into the Colonial days. His grandfather, Major Moses Seymour, served in the War of the Revolution, and afterward for a number of years in the Legislature of Connecticut, as the representative of the town of Litchfield. His father was for some years a member of the New York Legislature; and other members of the family have occupied distinguished positions in the service of the nation.

Mr. Seymour commenced at an early age the practice of the law in the city of Utica; but other duties soon compelled him to abandon the profession. At the age of thirty he was chosen Mayor of Utica. He had been an active Democrat from youth; and his election to the chief office of a Whig city is a marked instance of the personal popularity which he has at all times of his career enjoyed wherever known. In 1841, he was elected to the Legislature of the State; and his career from this date is one of much interest and uninterrupted usefulness. Liberally educated, an accomplished speaker, a ready debater, and a courteous gentleman, he won at once the confidence and respect of his compeers, and took an active part in all the important legislation of the day. Many in the Assembly were men of the first rank in ability and reputation; and the measures at that time dis-

cussed and enacted were of the highest importance in their character and consequences. With the former Mr. Seymour, though young in years and legislative life, associated as an equal; and in the discussion of the latter his voice was ever potent and respected. His influence, thus speedily and strongly manifested, continued undiminished during Democratic ascendancy in the State. And at a later period, when schism appeared in the party and power departed to the enemy, when the Democracy, untaught by the past, seemed bent upon its own ruin, and those upon whom its favors had been unsparingly bestowed appeared to forget their gratitude in the exhibition of unworthier feelings, he passed from the chamber of the Assembly, and was from that day forth the untiring advocate of union, and afterward the leader of a united party to victory. During the early part of his legislative career, dissension first appeared in the ranks, and the bitter controversy soon to arise was already foreshadowed in the debates in the Assembly.

William C. Bouck and Daniel S. Dickinson had been respectively re-elected Governor and Lieutenant-Governor of the State. This, however, had not been effected without opposition, which, though silent while the ticket was before the people, was bitter and outspoken in the Assembly when success had removed that restraint which party discipline had previously compelled. Of this opposition Michael Hoffman was the able and imperious leader; while Horatio Seymour was known as the champion of the men and measures of the Democratic administration. Mr. Hoffman—says a sketcher of those days—was a powerful antagonist, and had been universally regarded as the most formidable man in debate in the Legislature. Though he was dignified and chivalrous in his manner, he was excessively dogmatical and dictatorial in the expression of his views. Such, however, was the charm of Mr. Seymour's manner, and the manliness and frankness of his general course, that he secured from Mr. Hoffman the most respectful consideration.*

The courtesy of Mr. Seymour in these bouts with the domineering dictator of the House, and his deportment throughout the sharp and exciting discussions of those days, attracted high

* See "Democratic Review," Oct. 1851, edited by Thomas P. Kettell.

commendation and gave him a front rank. His tact and affability were never at fault; and the deference he soon won and at all times afterward elicited from the formidable and experienced chief of the opposition is ample evidence of the singular ability with which he sustained his position as the leader of the executive party. It was at this session that he submitted his famous report from the committee charged with the consideration of that part of the Governor's message which related to the canals. That the principles then recommended by him were worthy of the State is fully evinced by the fact that they were subsequently adopted by a constitutional convention and, receiving the sanction of the people, became part of the organic law.

Of this document the author of the "Political History of New York" writes as follows:—

"On the 23d of April, Mr. Seymour, from the Committee on Canals in the Assembly, made a report on that part of the Governor's message which related to canals. That committee consisted of Messrs. Seymour, M. L. Harris, Linn, S. Cole, and Dickinson. This report was drawn up by Mr. Seymour, and occupies seventy-one large octavo pages. We do not hesitate to pronounce it one of the ablest and best-written documents ever presented to a legislative body. We should do injustice to the author of it were we to pretend to give a skeleton of it. From the able and masterly review that it takes of our system of internal improvements, the great mass of well-arranged facts it contains, its lucid, candid, liberal, and able reasoning, and the brief but intelligent picture it presents of the finances of the State, it will amply reward any person for the time which the perusal of it would occupy. It ought to be read by every statesman and legislator who desires to be acquainted with the situation of the public works and the financial condition of the State in the year 1844. It will be found in vol. vii. of the Assembly Documents of that year, No. 177."*

The bill introduced by Mr. Seymour, in accordance with the views of his report, passed both Houses.

The election of Silas Wright to succeed Governor Bouck worked no change in the affairs of the party. Faction was still busy among the leaders, and but little harmony prevailed either in the Senate or Assembly. Of the latter body Mr. Seymour had been chosen Speaker,—a position which he had declined in the previous session,—and presided with distinguished ability.

* See Judge Hammond's "Political History of New York."

One of the most important events—as history since testifies—of this session was the election of Daniel S. Dickinson to the United States Senate; and Mr. Seymour deserves exceeding credit for the influential and unresting part he played to secure it. There was a bitter feeling of opposition on the part of a few members of the nominating caucus. The ballot stood, Dickinson, 54, to 17 scattering, and 4 blanks. A motion to nominate unanimously was opposed by one member, which drew out Mr. Seymour in a powerful argument to the minority, appealing to them by the recollection of the recent common victory,—Polk's election,—and by the determination which then actuated the whole party as one man, under the feeling that they were contending for common principles and in a common cause. Mr. Seymour's eulogists agree that he accomplished a most effective service not only for his State, but for the country, when he so strenuously aided to place in the United States Senate “the bold and eloquent exponent of the nation's will,” who on the floor of that body upheld so nobly the credit of his State and achieved for himself such immortal honor.”

To this period also belongs Mr. Seymour's famous debate with John Young, the Whig leader, on the bill for the convention for a revision of the Constitution. The Democracy desired some emendation of the Constitution, but proposed to accomplish it under the provision of the instrument itself. The Whigs desired a convention, hoping thereby to effect a total disorganization of their opponents. In the debate the party leaders acquitted themselves with power. As an illustration of the temperate force with which Mr. Seymour presented his views, not as a party man but as a patriot, the conclusion of his share in the debate may be given :—

“If a bill,” he said, “can be passed which shall be in accordance with the principles of our Government,—which shall recognise the doctrine that a majority of the people shall govern, that sovereignty resides with the people,—which shall, in a fair, manly, and open manner, indicate the objects of those who contend for it,—I shall be willing to give it my support. I have reflected on the subject with anxiety, feeling the importance of this measure to the well-being of our State. God knows I have endeavored to act on it solely with a view to the best interests and highest happiness of our common constituents. And to those who differ with me I accord an equal degree of consideration,—an equally honest

desire to promote the interests of those who have intrusted us with power. And I will only express the hope that, in approaching this subject, all pride of opinion will be laid aside,—all personal and political objects overlooked,—and that we shall be actuated only by a wish to consult the best interests of the great and glorious State whose Representatives we are.”

In his efforts to put down the divisions still existing in the party, the new Speaker was not equally fortunate. Discord continued among the managers; and, Executive and Legislative power passing into the hands of the Opposition, he closed his career in the Assembly with the session of 1845. Of the service he had rendered to the State, and his character as a legislator, Judge Hammond speaks in the highest terms. He seldom, in the political record, met a man who possessed higher and better qualifications for usefulness and success in a popular government than Horatio Seymour. Kind and social by nature, affable in his deportment, possessing a shrewd, discerning mind, fluent, and at times eloquent, in debate, enlarged in his views, liberal to his opponents, and fascinating in his address, no man seemed better calculated to acquire an influence in a legislative body than he; and few indeed, at his time of life, have in fact acquired a better standing or more substantial moral power. He made himself at an early period well acquainted with the great and varied interests of the State of New York,—an acquisition which aided him much in debate and gave him an advantage over older members, and which, at the same time, enabled him to render services in legislation highly useful and beneficial to the State.

It is not necessary, nor, indeed, desirable, that any elaborate examination of the origin and causes of the division of the party in New York should be entered into. The task is an ungrateful one, and differences of opinion still existing among some who were formerly arrayed under opposing banners render it advisable that it should be avoided. It is admitted by the friends as well as by the enemies of both wings that heresy of some kind had crept into the Democratic church. Discord and contention legitimately followed. The famous “corner-stone resolution” had done its fatal work. Unwisely introduced into the State Convention of 1847, it was rejected by a majority. The minority were dissatis-

sied. An irregular convention was called; and a double organization brought the question before the National Convention of 1848. All expected a final adjudication and a permanent peace as its natural result. But the hopes of the true lovers of the party were disappointed. The convention refused to embrace the question presented, and the evil of division was thus made chronic in New York. Of this action of the convention but one opinion now prevails. It was never wise to compromise with principle; and without a supreme authority, both competent and *willing* to decide all matters of vital interest to the Democratic faith, all hope of keeping it pure and making it perpetual must be forever abandoned.

During the exciting struggle of 1848, Mr. Seymour, while earnestly supporting the nominations of the National Convention, continued to be the advocate of peace. Ever courteous in manner and manly, frank, and generous in act and disposition, his constant labors were not without their proper fruit. The leaders, it is true, were not converted to the doctrines of peace and good will; but the rank and file were passionate for union. The popular voice prevailed; and, in testimony of popular appreciation, Horatio Seymour was unanimously nominated for Governor by a convention representing the entire party. The Democracy, of late years accustomed to defeat, were unable to spring at once to victory. Their candidate was defeated by less than three hundred votes. This much, however, had been accomplished:—the party was again united; and, with this bright sign in the present, the future was full of hope.

The gratifying results were soon apparent.

The National Convention of 1852 was unembarrassed by the presence of conflicting delegations. Everywhere harmony prevailed. Democratic ascendancy was restored in the nation, and the Democratic flag reappeared in Albany, whence it had been banished since the days of Silas Wright.

Horatio Seymour, triumphantly elected Governor of New York over Washington Hunt, the then incumbent and his former competitor, proved himself eminently worthy to succeed the great men who had gone before him. His Administration, occurring as it did after a long period of Whig rule, and contrasting with those which preceded and followed it, is a just source of

pride to every member of the Democratic household. Its chief events are still familiar to all. They have passed into the history of the State, and need no record here. His public acts as Governor confirmed the opinion based upon his career as a legislator. An admirer, one who closely followed the acts of Governor Seymour, writes to me, "By thorough statesmanship he advanced the true interests of the State, and by untiring watchfulness maintained the private rights of the people. When the latter were threatened, he interposed the Executive arm, and prevented the outrage which the impertinent zeal of the temperance fanatics, working through the managed legislation of unfaithful servants, would have inflicted upon the State. His veto of the prohibitory liquor law was a clear and beautiful exposition of constitutional law, and a strong and irrefutable argument against the evil of coercive legislation upon those subjects which the theory of our Government has so wisely placed without the province of the lawgiver."

Governor Seymour gave his reasons for vetoing the "Liquor Bill" in a very elaborate argument. The subject is still an interesting one; and a statement of the general principles upon which he rejected the measure will be useful on the page of history. Anticipating the bill, he took occasion to suggest that the subject was surrounded by difficulties and embarrassments, and, unless legislation in regard to it was judicious, the evils would be increased which it was so important to prevent, and that any measure adopted should be framed so as not to conflict with well-settled principles of legislation or with the rights of the citizen. In his opinion, the bill was unconstitutional, unjust, oppressive, and subversive of those principles of legislation the preservation of which he had advised. Such laws, like decrees to regulate religious creeds or forms of worship, provoke resistance instead of enforcing obedience. Any attempt to suppress intemperance by unusual and arbitrary measures was outside of the constitutional power of the Legislature; and he believed that the people, irrespective of their different views of the tendency of the use of intoxicating liquors, would and did regard the provisions of the bill with surprise and alarm. If made a law, they had not the power to enforce it. Error lay at its foundation, which distorted its details and made it a cause of angry controversy. The evils

of such a bill would only cease with its repeal. Judicious legislation might correct abuses in the manufacture, sale, or use of intoxicating liquors, but it could go no further; and, said Governor Seymour, "The experience of all nations, in all periods, demonstrates that temperance, like other virtues, is not produced by the law-makers, but by the influence of education, morality, and religion."

While a conscientious discharge of duty, and a belief that explicit language was due to the friends of the bill, required him to state his objections to the measure in decided terms, he desired it to be understood that he was not indifferent to the evils of intemperance, or wanting in respect and sympathy for those who were engaged in their suppression. He regarded intemperance as a fruitful source of degradation and misery. He looked with no favor upon the habits and practices which had produced the crime and suffering constantly forced upon his attention in the painful discharge of official duties. But long and earnest reflection satisfied him that no reliance could be placed upon prohibitory laws for the eradication of these evils. Men might be persuaded, but they could not be compelled, to habits of temperance.

An attempt was made in the Senate to pass the bill "notwithstanding the objections of the Governor." A vetoed bill, however, can only become a law by a two-thirds vote; and the effort to overrule the Executive was a failure. A member of the Legislature suggested by resolution that crape be worn on the left arm for the dead bill, at the same time that the greatest rejoicing everywhere took place among the conservative citizens and the Democracy at large. A grand salute of one hundred guns was fired in the Park at New York on the 3d of April in honor of the Governor and the veto; and large processions took place in several parts of the State.

The propriety of the course pursued by Governor Seymour, and the correctness of his views as to the power of the Legislature to pass sumptuary laws, have since been fully established by a formal decision of the Court of Appeals,—the highest judicial tribunal of the State. His election had strengthened the union of the party, and former differences were forever buried. It is true that dissension of another kind was soon to arise; but the attempt to revive the issues and preserve the "grotesque

nomenclature" of the past, whatever might have been its effect abroad, "won but little credit within the State."

Mr. Seymour was again brought forward as a candidate for Governor, but prior to the meeting of the convention he had declared that he would not accept a renomination. In the convention it was stated, upon authority, that he would not be again a candidate: nevertheless, his nomination was unanimously made. When officially informed of it, he again publicly declined. But the Democracy would accept no other leader; and, as it was well known that Horatio Seymour was too true a patriot to refuse to act when the people called for his services, it was determined to keep him in nomination, even without his consent. The contest was of the most exciting kind, and several days elapsed after the ballots were deposited before the true result of the vote could be arrived at. The Whig party had yielded to its Republican successor; the new secret "American" organization was for the first time vigorously in the field. Each party had confidently claimed the victory before the election, and publicly celebrated it afterward as the figures constantly accumulating at the capital seemed to favor it in turn. Three times within a week the Republican press had admitted defeat, and thrice within the same period had the Democrats boasted of triumph. But "they laugh loudest who laugh last;" and in this case that good fortune fell to the Opposition. Myron H. Clark, Republican, was elected over Mr. Seymour by a plurality of about two hundred votes. The aggregate vote of the State exceeded five hundred thousand; and the closeness of the contest may be still further understood when it is remembered that twenty-two thousand Democratic suffrages had been cast for Greene C. Bronson.

When the smoke of the battle had drifted from the field, the voice of old Tammany was heard, declaring that the Democracy, though defeated, were undismayed; that their confidence in their gallant leader continued, as ever, unbroken; that the hopes of the party were still centred in Horatio Seymour; that its members would support him with undiminished zeal; and that no effort should be spared to place that banner which they were proud to honor in the highest places of the nation.

On the 1st of January, 1855, Mr. Seymour retired from an office he had ceased to desire, and has since that time held no

public station. In each successive convention of the party his name has been mentioned by delegates unacquainted with his desires, and the loud acclamations with which it has ever been received evince how gladly the Democracy would again place him before the people, were it not generally understood that his earnest wish is not to be again a candidate. He still continues to labor faithfully and efficiently in the Democratic cause, attending both local and national conventions, advising with his brother Democrats upon all matters of interest to the organization, and eloquently advocating true principles before the people.

In 1856, he labored long and faithfully for the success of the nominations made at Cincinnati; and recently his voice was heard in the Far West, exhorting the Democrats of Minnesota to build up in their young State the great conservative party of the Union. His influence in the Empire State and with the party of his choice is, of course, controlling; yet it is never exercised except on important occasions; and at such time no mere personal motive, however strong, can induce him to be silent. An instance of this is of recent date. In the State Convention of September, 1857, it was necessary to nominate a Judge of the Court of Appeals in place of Hon. Hiram Denio, whose term was about to expire. It had been the duty of that eminent jurist, in the discharge of the duties of his high office, to declare that the oppressive laws which weighed so heavily upon the city of New York were within the letter of the Constitution. For this simple act of duty he was bitterly denounced and threatened with proscription by the party which had placed him in office. Much partisan feeling was manifested in the convention. Mr. Seymour was present, but took little part in the proceedings until the question came up upon the nomination of a Judge of the Court of Appeals. At this point, and before the opposition could make itself manifest, he took the floor and, by a well-directed effort replete with solid argument and earnest appeals to the justice and magnanimity of the party, secured the renomination of Judge Denio, and thus achieved a memorable triumph for the friends of an independent judiciary. The reelection of Judge Denio, which followed upon his nomination, is a happy incident in the history of the State and a strong argu-

ment in favor of an elective judiciary. It is, moreover, full of honor to the Democratic party and to the man through whom it was accomplished.

The friends of ex-Governor Seymour are deeply attached to him, and as eloquent in illustration of his excellent qualities as a man as of his undoubted prominence as a Democratic statesman. One of the number—a communication from whom is previously quoted—says,—

“Horatio Seymour—the last of the Democratic Governors of New York and, in the estimation of a majority of her people, the first of her living statesmen—is to-day the unquestioned leader of the Democracy of the State. Nor is his a leadership won by the management of politicians, or retained by the packing of conventions. It was conferred in the days of trouble and divided counsels as a mark of confidence and a means of safety, and it is continued in calmer times in gratitude for favors past and as an earnest of prouder things to come, when the hopes of the party shall have been realized and the State restored to its ancient influence in the councils of the National Democracy.

“Unbounded confidence in Mr. Seymour, and a firm belief that for him are reserved the highest honors of the Republic, seem now to be regarded as part of the creed of every true Democrat of the Empire State; and, whatever may be the action of the coming National Convention, there is much reason to think that this belief, like the sentence of an ancient oracle, will, sooner or later, work out its own fulfilment.”

JOHN SLIDELL,

OF LOUISIANA.

THE career of the senior Senator from Louisiana is quite remarkable in one respect; and that is, that, although he rarely obtrudes himself in a set speech before Congress, his influence is admitted to be of a decided and paramount character. When the fact of his seldom appearing is contrasted with the prominence of his name among those whose opinions and labors affect the government of the country, we are led to the discovery that he is an indefatigable worker rather than an outliner of work to be done or a displayer of work done, and that in council he not only sedulously labors himself, but that by his counsel he keeps others employed. Therein lies the secret of his potency.

This influential member of the Upper House was born in the city of New York in 1793. Receiving a liberal education, he embraced the law as a profession, and, on arriving at his majority, sought the city of New Orleans as the field upon which he would strive for eminence. The Crescent City has long been celebrated for the talents of its bar; and among its most steady lights Mr. Slidell soon enrolled himself. His success is accounted rare, considering what he had to encounter; but it is a notable fact that, after a few years' competition with the ablest men, he achieved so distinguished a success as to render his opinion or services necessary to every important cause, on one side or the other.

Mr. Slidell's Democracy being as decided as his talents, President Jackson bestowed upon him his first public position, in the appointment to the office of United States District Attorney at New Orleans. Such an appointment was precisely the kind of recognition a practical, thoughtful man like Mr. Slidell would desire, and was thoroughly illustrative of the discrimination so characteristic of General Jackson. In this connection it is

gratifying to remark that Mr. Slidell took the initiative in urging upon Congress the reimbursement of the fine on Jackson for alleged violations of law during his movements in and about New Orleans in the second war with Great Britain.

After frequent service in the Legislature of Louisiana, Mr. Slidell's political capacity pointed him out for national distinction, and he was sent as a Representative to the Twenty-Eighth Congress. In this wider arena, his expertness and foresight in emergencies gave him an indisputable advantage, which his clearness and coolness in debate turned to the best possible account for his party. The effect of these characteristics was not lost upon President Polk, and that statesman selected the member from Louisiana as Minister Plenipotentiary and Envoy Extraordinary to Mexico.

Our affairs with Mexico had arrived at an imminent point. General Taylor, who had the largest portion of the regular army concentrated at Corpus Christi for the protection of Texas, had been ordered by the War Department to the left bank of the Rio Grande. He was there. The Mexican generals on the frontier, Meja, Ampudia, and Arista, protested against the advance of Taylor, declaring it a hostile move. Our Government claimed that Texas extended to the Rio Grande, while the Mexicans recognised the Nueces as the boundary of the new American State. Before commencing actual hostilities, President Polk was anxious to do all that was possible to preserve peace; and, a somewhat similar disposition having been manifested by the Mexican Government, Mr. Slidell was accredited on the important and delicate mission. The American Government, placing itself on the Monroe doctrine, in favor of any desirable understanding between the nations of the continent of America, and against any European interference in the settlement of their difficulties, instructed Mr. Slidell—through Mr. Buchanan, then Secretary of State—to reject any proposition of mediation on the part of a European Power. The mission was not productive of the result which the President desired. After considerable discussion, the Mexican Government did not see fit to receive our envoy; and Mr. Slidell, after the failure of his efforts to bring about an amicable settlement of the points in dispute, demanded his passports and returned home.

The reputation of Mr. Slidell, and the interest which it was well known that he felt in the elevation of Central and South America in the scale of nationality, induced President Pierce to tender to him the mission to Central America. The offer was, however, gracefully declined, and when the seat of Mr. Pierre Soulé was made vacant by his acceptance of the mission to the Court of Spain, Mr. Slidell was appointed to succeed him in the Senate of the United States for the unexpired term, at the end of which he was re-elected to the Senate for six years.

In the Senate he is one of the marked and most prominent men. Whether in committee or in the open chamber, the opinion of no member has more weight than his. Devoted to the interests and the development of the resources of Louisiana, he is not less zealous in support of measures which have a national importance. Early in 1855 he succeeded in accomplishing the passage of an appropriation for the purchase of a site and the erection and completion of military defences at Proctor's Landing, at the terminus of the Mexican Gulf Railway, in Louisiana.

Among his labors in behalf of his State, some are especially noteworthy, as embracing subjects of general interest.

The sugar-crop of Louisiana for several years had fallen off from over four hundred and sixty thousand hogsheads to probably not more than one hundred and twenty thousand,—the estimate for 1856. One cause of great apprehension on the part of the planters of Louisiana was the supposed deterioration of the cane. The cane cannot be raised from seed, but the cane itself must be planted, the plant germinating from the eyes of the cane. It was necessary to introduce new plants; and, in order to do this conveniently, it was requisite that vessels should be allowed to proceed at once to the plantations where the canes were to be planted, so as to avoid the injury resulting from frequent handling. At the instance of Senator Slidell, the Secretary of the Treasury expressed a willingness to aid in the matter, but had no authority in himself to do so. Through Senator Slidell's influence, a joint resolution—prepared by Secretary Guthrie at the desire of the Senator from Louisiana—to allow vessels to proceed at once to transfer cargoes of sugarcane to the plantations where they were to be used, was introduced on the 26th of June, 1856, and passed. In connection with this mea-

sure, so important to Southern interests, he followed it with a resolution—which was agreed to—requiring the Committee on Agriculture to inquire into the expediency of making a specific appropriation of seed-sugarcane for gratuitous distribution to the sugar-planters.

Mr. Slidell introduced the bill appropriating \$300,000 for the purpose of opening and keeping open ship-channels, of sufficient capacity to accommodate the wants of commerce, through the Southwest Pass and Pass à l'Ostre, leading from the Mississippi River into the Gulf of Mexico. The bill also proposed to appropriate \$330,000 for continuing the improvement of the channels at the mouths of the Mississippi River,—the money in both cases to be expended by the Secretary of War. The bills passed, but were vetoed (May 19, 1856) by President Pierce. The President held that the Constitution did not confer power on the General Government to make such appropriations, and that the assumption of authority to commence and carry on a general system of internal improvements was in other respects prejudicial to the several interests and inconsistent with the true relations one to another of the Union and the States.

In fulfilment of the constitutional requirement that a vetoed bill shall be reconsidered in the House in which it was originated, the "Mississippi River Bill" was made the subject of interesting discussion. Senator Toombs addressed the Senate in support of the President and in opposition to the constitutionality and expediency of works of internal improvement. Senator Benjamin was in favor of the bill. The condition of the admission of Louisiana into the Union was that no tonnage-tax should ever be charged on the Mississippi River. An appropriation was necessary to keep the channel open, as being common to all the Territories of the United States: the navigation of the mouth of the river cannot be taxed. Senator Butler held that there was nothing to prevent Mississippi, Arkansas, and Louisiana from entering into a compact to open it if they thought it important. Senator Crittenden thought that a Government which could collect money unlimitedly, and appropriate none of it for the improvement of the country, was in a poor condition. The reason in reference to the building of fortifications was to him equally forcible for the making of advantageous improvements at any

point of the country. Mr. Toombs held that, as the bill legislated for a portion only of the country, the whole people ought not to pay for it. Senator Weller, of California, thought that Toombs's doctrines would make the Government an impracticable machine. Senator Bell, of Tennessee, spoke in favor of removing the river-obstructions, considering the vast valley and the whole interior between the Rocky Mountains and the Alleghanies that was interested. Senator Wilson, of Massachusetts, would vote for any measure of this character. We had the largest tonnage in the world; and he believed it to be the duty of the Government—on the Atlantic coast, on the Gulf coast, on the lakes, on the Pacific—to protect and defend our commerce. Senator Mason, of Virginia, defended the veto at considerable length, and was gratified that the President had exercised his constitutional duty in sending the bill back to Congress. Senator Cass, at considerable length, opposed the veto and the views of the President in reference to the bill under debate, and the general policy intimated by him with reference to appropriations for river and harbor improvements.

While Senator Slidell had never doubted that a general system of internal improvements not of a national character was at variance with the spirit of the Constitution, he found great difficulty in defining the line where the national character of improvements ceased and the local character began. Such a line was necessarily shadowy and arbitrary, varying according to the latitude of individual opinion. He had regarded certain expressions of the President, in his message of the 30th of December, 1854, as tantamount to an intention to give his assent to appropriations for river or harbor improvements. On this impression he had acted. He found nothing in the present veto message to change or even qualify his opinion as to the constitutionality or expediency of his bill. It was eminently national. He instanced the fact that the great apostle of strict construction—Mr. Calhoun—admitted by his vote in March, 1847, the constitutionality and expediency of an appropriation for the improvement of the Ohio River below the falls at Louisville, and that at the celebrated Memphis Convention, where his views were given at great length, he declared appropriations for the improvement of rivers running through three or more States to be constitutional.

Senator Slidell reminded the Senator that the Mississippi was the natural outlet, wholly or partially, to the ocean, of fourteen States and three Territories, and that a commerce of more than two hundred millions passed over the river which his bill intended to deepen. Though according all respect to the President as the official leader of the party to which Mr. Slidell had been consistently and steadfastly attached, he regretted the implied slurs on Democratic Senators in the veto, and repudiated them as unfounded in fact. The Senate—July 7, 1856—passed the bill by yeas 31, nays 21; and the House did the same on the next day.

Senator Slidell is not in favor of reopening the African slave-trade, and has taken pains to have himself set right before the country on this question. In the first session of the Thirty-Third Congress, Senator Slidell submitted a resolution recommending the abrogation of the eighth article of the Ashburton Treaty, providing for the maintenance of a naval force on the coast of Africa for the suppression of the slave-trade. This having occupied the executive session and the Committee on Foreign Relations, and the course of the Senator from Louisiana having been often misrepresented by report stating that he had introduced an entering wedge for the re-establishment of the African slave-trade, he, on the 26th of June, 1856, denied the truth of the rumors, and, by permission of the Senate, quoted a brief report made by him on the subject on the 13th of June, 1854.

After stating the terms of the treaty, Mr. Slidell's report enumerates the immense cost of life and money, with the trifling result, of the squadrons on the coast of Africa. The United States contingent was four vessels and eighty guns, at an annual cost of about \$10,000 per gun. France had had herself released from the original terms of the compact with Great Britain. The select committee of the House of Commons, appointed to investigate the question, elicited the fact that the present system was futile, that the slave-trade was not regulated by the squadron, but was dependent on the commercial demand for slaves, and that the total result during twelve years was the capture of fourteen slavers; after which statements, the report says:—

“The African slave-trade has, it is believed, been entirely suppressed in Brazil; and in this hemisphere the remaining colonies of Spain—Cuba

and Porto Rico—are its only marts. Your committee think that, if the American flag be still employed in this nefarious traffic, now prohibited by every Christian nation and surreptitiously tolerated by Spain alone, the abuse can be more efficiently corrected by the employment of our cruisers in the vicinity of those islands.

“It would seem to be almost superfluous on the part of your committee to say that, in recommending the adoption of the resolution under consideration, they repudiate the most remote intention of relaxing, in any degree, the stringency of our legislation on the subject of the African slave-trade. Its continuance, while it is so justly odious on moral grounds, is in every way prejudicial to our commercial and agricultural interests.”

Among other matters of interest initiated by Mr. Slidell were the publication of the report of the Japan Expedition; a movement in favor of Americans abroad being privileged to worship, marry, and bury their dead according to the dictates of their own consciences; and a resolution for making some permanent provision to recompense those who may rescue the lives of passengers and crews of American vessels.

In the Thirty-Fifth Congress the increasing power of the Senator from Louisiana was felt in the discussion of the leading Administration measures. In the exciting debate which lasted through the night of the 15th of March and up to half-past six of the following morning, he participated and for some time presided. On this occasion he gave his views on the Lecompton question.

Senator Slidell had reluctantly voted for the bill of February, 1856, not because he disapproved of the principle on which it was based, but because he was opposed to the admission of any new State until it had at least a population entitling it to one Representative in the House. He had yielded, however, to the expediency expressed by the majority, and especially to the judgment of Senator Douglas, “whom all,” he said, “were then proud to recognise as the leader and champion.” He voted for the admission of Kansas under the Lecompton Constitution, and, in explanation, said he had not then, and never had, any strong hope that slavery would be permanently established there. He based his course on the obligations assumed in 1854 and 1856, and thought that good faith demanded his advocacy of “Lecompton.” Should Kansas be refused admission under that

instrument, he would be convinced that, whatever might be the pretext, the real motive for her rejection was that she had presented a Constitution recognising slavery. This would be the unanimous interpretation of the South; and the slaveholding States could have "no reliance for safety in the future but on stern, uncompromising adherence to the absolute, unqualified principle of non-intervention on the part of Congress in the question of Slavery." The case under discussion imperatively demanded the application of this doctrine, because the "Lecomptonites" were contending for an abstract principle, while the "Anti-Lecomptonites" would derive all the party advantages of the admission of Kansas. The principle might be barren of present benefit, but it was indispensable for future protection. If Kansas was refused admission because slavery nominally and temporarily existed there, what opposition might not be expected when a Territory in which it is a reality shall apply for admission into the Union? Senator Slidell did not believe in the assurances constantly made that there was no reason for Southern apprehension. He saw them constantly falsified by the votes of Senators; he saw the scale of political preponderancy rapidly gravitating in favor of free States; and he had heard the prognostications of Senator Seward, to whom he paid a courteous compliment, but in whose very moderation of manner he beheld a most dangerous enemy. He expressed his devotion to the Union and the Constitution, regarded with contempt the slang phrases with which Northern legislators attempt to stigmatize Southern men, and denounced those who desired to keep up agitation against the Lecompton Constitution as "plotting and unscrupulous politicians." He would vote for the amendment of Senator Pugh, recognising the right of the people of Kansas, with the assent of their Legislature, to alter, amend, or remodel their form of government within the demands of the Constitution of the United States. "The amendment," said Senator Slidell, "will not be in any sense a Congressional interpretation of the Constitution of Kansas, but a mere declaration that it is not our purpose, even by implication, to impair or limit the rights of the people of that State."

On this exciting topic the number of speeches on all sides was immense; and, amidst the mass that then issued from the press,

the speech of the Senator from Louisiana stands almost alone in its commendable brevity. He addressed himself with new force to the purpose of the bill, and, having made up his mind, stated his position clearly and emphatically. Senator Slidell's finest effort during the session undoubtedly was his erudite review of the Neutrality Laws, on the 8th of April, 1858, induced by a discussion on the presentation of a medal to Commodore Paulding for the capture of General Walker, of Nicaragua. The direct occasion of the speech was an amendment offered by Senator Slidell to the report of the Committee on Foreign Relations. This amendment authorized the President, during any recess of Congress, to suspend, for not more than a year, by proclamation, in whole or in part, the operation of the Act of April 20, 1818, if he deemed the public interests required it.

The Senator held that the Act of 1818 was not an enforcement of the law of nations, but a restraint upon what, without it, would have been lawful and, in many instances, meritorious actions of American citizens. The Queen of England, in Council, can always suspend the Foreign-Enlistment Laws or prevent the shipment of arms and military stores; and this power he desired to confer on the President when Congress was not in session, and then only when actual war existed between the Powers in reference to which the suspension was to operate.

In an historical point of view, the argument of the Senator was particularly interesting and instructive. A thousand examples might be given of the armed intervention of organized bands of citizens of a neutral State in the civil and other wars in Europe and America, without its being considered a *casus belli* with the Power whose citizens had thus interfered. Following Senator Slidell, a résumé of the more important cases may usefully be introduced here for future reference.

Switzerland has at all times permitted entire regiments and brigades to be enlisted within her territory for foreign belligerent States, and the cantons have frequently had their citizens regularly organized in the ranks of both the contending parties. Elizabeth permitted troops to be raised in England for the assistance of the Netherlands in the contest with Spain, although she was at peace with that Power. Charles the First authorized the enlistment of six thousand men for Gustavus

Adolphus; and Major Dalgetty, immortalized by the author of "Waverley," was but the type of hundreds of soldiers of fortune who, in those days, espoused the causes of various sovereigns through political or religious sympathy or the inducement of money. Service in foreign wars was then considered a graceful complement of the education of a gentleman. During the protracted struggle between Spain and her revolted colonies on this continent, several thousand men were raised in Great Britain and Ireland to aid the revolutionists. An entire legion, commanded by General Devereux, completely organized, armed, and equipped, sailed; and, although its destination was proclaimed to all the world, the English Government did not interrupt it. General Evans, then a member of Parliament from Westminster and an officer in the British army, raised from five to six thousand troops in England, organized them under the title of the "British Legion," and played a distinguished part in the Carlist War. He retained his commission and his seat in Parliament, and very many of his officers held commissions in the British army and regularly received their half-pay during the term of their service in Spain. Sir Robert Wilson was one of them, and at the same time retained his seat in Parliament. During the Greek War of Independence, and after the passage of our Neutrality Laws, levies of troops and contributions of money were made both in England and the United States. Two frigates were built in New York for the Greeks, and, the fund for equipping them falling short, one of them was purchased by our Government—and this under authority of act of Congress—to enable the other to be despatched. In 1832, Captain Sartorius, of the British navy, was made a Portuguese admiral, and openly fitted out a squadron, officered chiefly by gentlemen holding commissions in the British navy, and manned by British subjects, for the service of Don Pedro in the war against Don Miguel. Napier, then a captain in the British navy, and since the commander of the Baltic fleet in the war with Russia, succeeded Sartorius and captured Miguel's fleet. A large land-force, also of British subjects, took part in the war, under Sir Milly Doyle, M.P.

In the debate on the Foreign-Enlistment Bill, June, 1819, Lord Lansdowne said all history sustained him in asserting

that the bill then passed was the first to establish the principle that the subjects of one State could not, privately and individually, assist those of another, when their respective Potentates were not at war. For the last four centuries there never was a period when British subjects were not thus engaged, and no Government had interfered to prevent them. We have seen—adds Senator Slidell—that England, whenever it suits her policy, not only authorizes, but encourages, her subjects to take part in foreign wars. She twice or thrice suspended the execution of the Foreign-Enlistment Law, and will do so again whenever a sufficient motive offers. We alone have adopted the suicidal policy of so manacling ourselves that a law-abiding Executive cannot free us from our self-imposed fetters, although the best interests of the country may demand it.*

While Mr. Slidell maintained that Walker might legally have been arrested, not only on the high seas, but in the waters of Nicaragua, he condemned Commodore Paulding, as having “shown himself unequal to the delicate and responsible duties of his late command.” He was especially severe on the career of General Walker in Nicaragua, which drew from the latter gentleman a brief note denying the “insinuations” and “facts” contained in the speech.

In this speech Senator Slidell alluded to the change that had taken place in his views as to the means of acquiring Cuba. Four years previous he had moved the suspension of the Neutrality Laws, with a view toward Cuban action. Circumstances had changed, and public policy should accommodate itself to them. He now believed that all means of obtaining Cuba, other than negotiation, ought to be abandoned, and in the following session, on the 10th of January, 1859, introduced the famous bill into the Senate, proposing to make an appropriation of thirty millions of dollars, “to facilitate the acquisition of the island of Cuba by negotiation,” and, on the 24th, brought in an elaborate and able report from the Committee on Foreign Relations in favor of the measure.

After having agitated the political world to a high state of party excitement, pro and con, for a month, it was withdrawn by

* See “Cong. Globe,” 1st session of Thirty-Fifth Congress, Part 2, p. 1541.

the introducer on the 26th of February. He gave as a reason that Senators on the other side who had announced their determination to speak, had nevertheless, when requested to do so, refused obstinately either to speak or to vote, and evinced a settled purpose, by a series of dilatory manœuvres, to prevent any final action upon the bill. On the night previous, the Senator from Mississippi, (Mr. Brown,) a supporter of the bill, moved to lay it on the table, declaring at the same time that he should vote against his own motion, his object being to obtain a test vote. That vote resulted in the refusal of the Senate to lay the bill on the table, by a vote of 30 to 18,—thus establishing a clear majority of 12 in favor of the principle of the bill. Senator Slidell was thus satisfied that the bill could not be pressed to a vote unless by the sacrifice of the appropriation bills, thereby necessitating the calling of an extra session. On consultation with many friends of the bill, he found that they very generally concurred with him in the opinion that it would be injudicious to call it up again, considering that the sense of the Senate had been expressed with as much distinctness as if there had been a final vote on the bill. He gave notice, however, that he should again present this bill on the very first day of the next session of Congress, when, in accordance with the rules of the Senate, he could call it up.

Senator Slidell is not a frequent, but a forcible, speaker, and studies lucidity rather than length. As a member of the Committees of Naval Affairs and Foreign Relations, he is said to be exceedingly efficient. The reports known to be his are highly creditable to his statesmanship. As a financial lawyer he enjoys a prominent reputation; and in the monetary crisis of 1857, his presence, as chairman, on the special committee on the condition of the banks, gave great satisfaction to the clamorous newspapers. His mind is acute and full of resources, and his manner bold and decisive.

ALEXANDER H. STEPHENS,

OF GEORGIA.

THE bright and graphic author of "The Bee-Hunter"* truly says that Mr. Stephens is the most prominent man intellectually, and the most remarkable man physically, of the few remaining celebrities to be met with in Washington during the session of Congress. An invalid from childhood, the fearful effect of suffering is seen in his singularly delicate frame, in his pale attenuated face, and in his feeble walk. But, if the case of the lantern is slender, the light it holds is brilliant. A first introduction to Mr. Stephens startles you, and it is difficult, if not impossible, to realize that there stands before you a man deservedly famous for his triumphs at the bar and the forum,—that one so frail could, by the strength of his intellect, give character to, by impressing himself upon, the legislation of a great nation. Soon, however, you feel the effect of the power which has accomplished these things; and his conversation, springing from the simplicity of his manner in a clear and bright stream, carries you on with an accumulating freight of anecdote and incident, broad views and bright speculations.

Alexander H. Stephens was born in that part of Wilkes which was afterward cut off to form Taliaferro County, Georgia, on the 11th of February, 1812. His grandfather, an Englishman, was an ardent Jacobite. He came to America some time between 1745 and 1750, was in the Colonial forces at Braddock's defeat, in time joined the American army, was an active participant in the Revolutionary struggle, and at the close of his service settled in Pennsylvania. In the year 1795 he went to Georgia, and

* T. B. Thorpe, Esq., who kindly furnished a sketch of which I have largely availed myself, especially as regards the life of Mr. Stephens previous to his Congressional career.

settled first in Elbert County, then in Wilkes, on Kettle Creek, where he remained until 1805, when he again removed to the place where the subject of this sketch was born. Here he spent the rest of his days. The father of Alexander, whose name was Andrew B., was a man of limited means but persistent industry, and maintained a high standing in the neighborhood for his unusual probity. He did not long enjoy the example of this just and upright man. Having been deprived of the fond care of his mother, Margaret Grier, in infancy, he suffered the loss of his father in boyhood. The solicitude and nourishment which would have made a strong boy of him were debarred in childhood; and that directing care which moulds the youth into man was lost in boyhood. He was left an orphan at the age of fourteen: his home, where his grandfather, father, and mother had died, was sold for distribution, and four hundred and forty-four dollars constituted the amount of his patrimony. Dependent almost entirely on himself, his future looked dim enough; and who would have dreamed that the sickly, emaciated boy would loom up from the dreary hearthstone of that desolated homestead into the councils of the nation and the brotherhood of the famous?

Previous to his father's death he had regularly attended the "neighborhood" school; and now, by the kindness of an uncle, he was enabled to continue such limited studies as such a school afforded. Having more brain than body, the ambition to excel disclosed itself by degrees, and the boy conceived the idea of securing a classical education. The lack of money to accomplish this presented an obstacle which was fortunately removed by the impression he must have made on some friends, who kindly came to his aid and furnished the funds, which, however, he would accept only as a loan. Thus encouraged, he set to work by himself. Commencing the Latin language with only the rudiments of the plainest English education, he in nine months qualified himself for the Freshman Class, and entered the University of Georgia. After the usual course of four years, he was graduated, in 1832, with the highest honors, the record of which is exhibited with pride by the present officers of the institution.

Having a high sense of personal independence, Mr. Stephens's next desire was to repay the obligations he had contracted in the prosecution of his studies, and, as the most available way,

made the education he had received refund the means by which it had been accomplished: he became a teacher, and for fifteen months went through the not over-estimated horrors of that unappreciated though honorable profession, earning in that period sufficient money to liquidate his debts. The effect of such application on one who had been an invalid from birth may be imagined: suffice it to say, he was utterly prostrated, had to quit all active duty, and seek relief and refreshment in travel.

Somewhat improved in health, he returned to work out his destiny, having set his mind on the law as a profession, and commenced its study in the month of April, 1834, in a manner characteristic of the discipline and concentration of his intellect. He prepared himself for law without any adviser or instructor. He did not study under any profound jurist or graduate from the office of any expounder of Coke upon Littleton. Shutting himself up with his text-books, he reappeared at the end of ninety days and presented himself for admission to the practice of the bar. He was examined, before the Hon. William H. Crawford, by the present Chief-Justice (Lumpkin) of Georgia, was admitted, and received from those eminent men the highest compliments for the manner in which he had acquitted himself.

About this period in his life, an incident occurred not unworthy of note, as it illustrates his then condition and prospects. He wished to purchase a pocket-book to keep his papers in. The dealer, being rather a close man, and supposing the young lawyer had no money, hesitated about a credit. This, however, had not been asked: when the price was known, the cash was paid for it, and he has carried it about him ever since, sometimes referring to their first meeting with singular pleasure, and having an affection for it as the companion and, to some extent, care-taker of his progressive successes.

But the antecedents of Mr. Stephens in his studies were typical of the successes which were to wait upon him.

Soon after his admission—about ten days—he was engaged in a case of great responsibility. A wealthy man was guardian of his grandchild, its mother having married a second time. After a while the mother desired possession of the child; but her claim was resisted by the grandfather as legal guardian. The stepfather, desiring to please his wife, consulted young Stephens and retained

him as counsel to set aside the guardianship. The trial came off before five judges, no jury being called. Owing to the respectability of the parties, and the novel spectacle of a sickly boy, without any practical experience in the law, contending with the veterans of the bar, the case attracted unusual attention. The result was a great victory for Stephens and the restoration of the child to its mother. This success at once gave Stephens a prominent position, and he was retained thenceforward on one side or the other of every important case in the county.

From different parts of the State inducements were held out to determine him in the selection of a permanent location. These cordial evidences of the appreciation in which his rising genius was already held could not have been other than very flattering to him; but he rejected all offers, and assured the friends of his boyhood, much to their satisfaction, that he would remain among them, and, as soon as he was able, would purchase back the old homestead on which he was born, and there spend and end his days.

In 1836, against his wishes, he was nominated by his friends for the Legislature, and was triumphantly returned against a bitter opposition. He signalized his appearance as a legislator in the advocacy of the bill for the construction of the Western and Atlantic Railroad, connecting the point now known as Atlanta with Chattanooga, in Tennessee. It was on this he made his maiden speech as a legislator,—a speech whose fame spread far and wide over the country, and which is spoken of to this day, by citizens of Georgia, in terms of unmeasured eulogy. To the powerful arguments employed by him in this celebrated appeal to the patriotism of his fellow-members, the success of this project, which was carried through the Legislature, and which has placed Georgia in the van of her sister States of the South in these wonderful modes of improvement, is mainly attributable. During the six years which he remained in the Legislature he was very prominent, particularly in all measures relating to the finances and credit of the State, internal improvements, and education. On all matters relating to the judiciary and the Constitution he took a conspicuous part. Not long after he became a member, a bill was introduced providing for the call of a State

Convention to amend the Constitution. This he opposed almost solitary and alone, upon the ground that the Legislature could not call a convention for such a purpose. The Constitution of the State declared that it should only be amended by a bill passed by two-thirds of each branch of the Legislature at two consecutive sessions. Stephens took the ground that when a Constitution is silent upon the mode of its amendment, the Legislature can call a convention; that when a Constitution points out a particular mode in which it may be amended, without excluding other modes, the Legislature may adopt some other mode than that pointed out; but that when a Constitution provides a mode for its amendment, and prohibits all other modes, that mode only can be taken which is indicated. Jenkins, Crawford, Howard, and all the other leading men took the opposite side and voted for a convention. The general opinion then was that the convention could be called; and it was called by an overwhelming majority, which passed some amendments, but they were never ratified by the people. At this time it is believed that the views taken by Mr. Stephens in the discussion on this subject are held by most of the public men in Georgia to have been correct.

He opposed the organization of the Court of Errors, believing that the judiciary as established was the best in the world, and that the change would only multiply difficulties without adding any certainty to the administration of the law. The bill was not passed while he was in the Legislature.

In 1839, Mr. Stephens appeared for the first time before a public audience in Charleston, South Carolina, in his capacity of delegate to the Commercial Convention, composed of distinguished representatives from the Southern States of the Union. The meeting was held at the theatre, at that time the most commodious edifice in the city for the purpose. The delegates occupied the pit and so many of the boxes of the first and second tiers as were necessary to accommodate them. The rest of the building was crowded to its utmost capacity by a brilliant, intelligent, and fashionable audience, composed of ladies and gentlemen. The subject under discussion was the importance of a direct Southern trade with Great Britain, and the best mode of awakening public attention to the subject. On the first point there was great

unanimity of opinion in the Convention; but on the second—the mode of action—the views of members widely differed, and Georgia and South Carolina, as has too often been the case in their past history, were opposed to each other. General Hayne, General Hamilton, Major Filder, Hon. William C. Preston, and other distinguished Carolinians, had already addressed the Convention in speeches of great splendor and eloquence, advocating a particular line of policy. At length an individual arose in one of the boxes, the tones of whose voice were rich and penetrating as those of “the Swedish Nightingale.” This personage—who, however celebrated in the State of Georgia, was not as yet so well known in South Carolina—was no other than Alexander H. Stephens. But “the hour and the man had come,” and no one who heard that speech delivered can ever forget the electric effect produced by it. He had scarcely commenced speaking when every neck was extended, every eye and mouth opened, and every eye fixed, as if in mute wonder. The contrast which existed between his physical delicacy and his intellectual strength, between his masculine habit and his mellifluous intonations, produced the utmost astonishment,—a feeling which gradually subsided into intense admiration of his quick wit, his keen powers of analysis, his rapid generalizations, and his overwhelming replies. It was a bold proceeding in a stranger—though one in whose aspect mind triumphed over the grosser elements of the material frame—to measure swords with such antagonists as he encountered in that assembly; but it was a still more memorable exploit to obtain, as he did, the victory over them in an argument. The triumphant speech, in which he had snatched their laurels from the most brilliant orators of the occasion, was the topic of general comment and unmeasured applause; and he himself, though a modest and unassuming young man, became, wherever he appeared, “the observed of all observers.” The delegates, collected from different and distant portions of the South, and who were enabled, for the first time, to appreciate his singular merits, on their return to their several homes contributed, by their enthusiastic account of his performance, to extend his fame to the remotest parts of the country.

In 1842, he was elected to the State Senate, in which he opposed the Central Bank, and took an active part in the ques-

tions of internal improvements and districting the State, which then divided parties.

In 1843, he was nominated for Congress on a general ticket, and commenced the canvass with a majority of two thousand votes against him. He came out of the contest with thirty-five hundred majority. His entry into Congress was signalized by extraordinary circumstances. His right to a seat was disputed. Stephens, in the discussion that ensued, made a speech in favor of the power of Congress to district the State, though he was elected, in defiance of the law, on a general ticket, and then left the House to decide the question. They alone, under the Constitution of the United States, could judge of the qualifications and elections of its members. If they adjudged his election to be legal, then he was the one his constituents had chosen. The House decided that his election was legal, and he took his seat.

Mr. Stephens was brought up in that school of Southern States-Rights men who sustained General Harrison in 1840, and was, up to that time, prominent in the Whig ranks; but, favoring the bill for the annexation of Texas, he, for the first time, on that occasion gave the Democracy the influence of his voice. He and a few others differed not only from his own party-friends, but from a majority of those on the other side. He and a few others were for the measure, on the condition that the rights of the South should be guaranteed in the bond of union. They held the balance of power in the House, and thus succeeded in having their resolutions passed, which secured the existing guarantee that four slave States should be carved out of the territory and admitted into the Union, if the people should present such a Constitution on their application for admission. Mr. Stephens has recently given the only true history of these resolutions which has appeared. As he corrects Benton's statement, which has had a wide circulation, and defends Calhoun, I give the interesting episode:—

“Colonel Benton, in his ‘Thirty Years’ View,’ quotes them at length, and says they were introduced at an early day of the session. He says they ‘were sent down from the State Department.’ In this he makes one of his flings at Mr. Calhoun, who was then at the head of that Department. This is, in every essential particular, a mistake. These resolutions were not introduced at an early day of the session. Congress met on

the 2d day of December, 1844; on the 12th of that month, Mr. Charles J. Ingersoll, Chairman of the Committee on Foreign Affairs, introduced the Administration measure. After that there were six other plans of annexation introduced before the resolutions which finally passed were offered. They were presented by Mr. Milton Brown, of Tennessee, on the 13th of January, 1845. He and I consulted frequently together. We agreed in our views. We could not support any one of the plans submitted, but were anxious for the measure to succeed on the terms I have stated. He drew up the resolutions embodying our views, securing the settlement of the vexed question, and the guarantee as to the four future slave States south of the Missouri line, just as they passed. Neither Mr. Calhoun nor Mr. Tyler ever saw the resolutions until they were offered to the House; and I doubt if any other person did, except Mr. Brown, myself, and Hon. Ephraim H. Foster, one of the Senators of Tennessee. Mr. Brown informed me that Mr. Foster concurred fully in our views, and would present the same resolutions in the Senate on the same day, which he did, remarking at the time that he had neither consulted nor conversed with any other Senator in relation to them. As for the phraseology of the resolutions, that is due entirely to Mr. Brown; but for the substance I feel fully justified in saying that we are both jointly and equally responsible. My course in the matter was taken not without some doubt and distrust that it might be wrong, as so much talent, age, experience, and worth were arrayed against it: hence you may imagine the gratification I felt, six years after, when Mr. Webster, in his celebrated 7th of March speech, fully admitted the constitutionality of the annexation and the binding obligation of the guarantees therein secured. The recognised constitutional expounder and one of the leaders of the opponents of the measure, though not in official position at the time it passed, lived to give the constitutional question involved the sanction of his high authority; and now few men of any party or any creed raise a point upon the subject.*

Mr. Stephens held the same views as Mr. Calhoun regarding the Mexican War, and was opposed to advancing the American troops into Mexico; but when the war actually commenced, and the national character was at stake, he sustained it with the vigor characteristic of him. In the Presidential contest which followed between Generals Taylor and Cass, he supported the former. On the Compromise measures of 1850, Mr. Stephens expressed his willingness to support any measure that did away with Congressional restriction, leaving the Territories to come into the Union with or without slavery. In 1854, he

* Speech of Mr. Stephens at Augusta, July 2, 1859

was the eloquent advocate of the Kansas-Nebraska Bill, for the purpose of carrying out the principle advanced in the Utah and New Mexico Bills of 1850. His speech on the 17th of February, 1854, which was regarded as the exposition of the Administration doctrines in the House, was a splendid effort, and justly attracted remark. Following up the measures of 1850, he said that "the whole question of slavery or no slavery was to be left to the people of the Territories, whether north or south of $36^{\circ} 30'$, or any other line. The question was to be taken out of Congress, where it had been improperly thrust from the beginning, and to be left to the people concerned in the matter to decide for themselves." This, he said, was the position originally held by the South when the Missouri restriction was at first proposed. The principle upon which that position rested lay at the very foundation of all our republican institutions, and was that the citizens of every distinct and separate community or State should have the right to govern themselves in their domestic matters as they pleased, and that they should be free from intermeddling restrictions and arbitrary dictation on such matters on the part of any power or Government in which they have no voice. It was out of a violation of this very principle, to a great extent, that the War of the Revolution sprung. He drew a parallel between the Restrictionists, or Free-Soilers, or those who hold that Congress ought to impose arbitrary mandates upon the people of the Territories, whether the people be willing or not, and Lord North and his adherents in the British Parliament during his administration. They alike claimed the right to govern the Territories "in all cases whatsoever," notwithstanding the absence of Territorial representation. The doctrine of the South was the doctrine of the Whigs in 1775-76, and involved the principle that the citizens of every community should have a voice in their Government.

He emphatically asserted that the Compromise of 1850, so far as the Territorial question was concerned, "was based upon the truly republican and national policy of taking the disturbing element out of Congress, and leaving the whole question of slavery in the Territories to the people, *there* to settle it for themselves." In this spirit, he fervently called, in the name of the friends of the Nebraska Bill, upon the House and country to

sustain these important measures of Territorial legislation.* This was esteemed Mr. Stephens's greatest effort in Congress up to that time.

On the 17th of January, 1856, Mr. Stephens, in the House, reiterated these views, and again on the 27th of June of the same year, in a speech against the admission of Kansas under the Topeka Constitution. In the course of this speech, Mr. Stephens exhibited his ready power as a debater in an episode of great interest with the Hon. Lewis D. Campbell, of Ohio, who interrupted the brilliant Georgian with several queries. Mr. Campbell, desiring to nonplus Mr. Stephens, asked him why he did not appeal to the courts if he and his party regarded the eighth section of the Missouri Compromise as unconstitutional. "Why, Mr. Speaker," said Stephens, "it was my first duty as a legislator, believing it to be wrong, to vote to repeal it: and I did so; [laughter;] and if Congress had not repealed it, and I had been personally affected by it in the Territory, then I might have had recourse to the courts."

Again, after showing that Jefferson, Madison, and Jackson were opposed to the restriction of 1820, and that it was accepted by the South only as an alternative for the sake of peace and harmony, upon the principle of a division of the territory as property between the two sections, he reminded Mr. Campbell that *his* party had denounced every Northern man who had from 1846 to 1850 desired to abide by it for the sake of peace, and said,—

"If the gentleman wishes to know what tree brought forth that bitter fruit of which he spoke the other day, I will tell him. It was not the Kansas tree, but that old political Upas planted by Rufus King in 1820. It grew up; it flourished; and it sent its poisonous exhalations throughout this country till it came wellnigh extinguishing the life of the Republic in 1850."

Mr. Campbell: "That tree was planted when—(cries of "Order!" "Order!")—when slavery was first brought to the shores of America." (Cries of "Order!" "Order!")

Mr. Stephens: "Well, then, Mr. Speaker, it is much older than the Kansas Bill. It was planted before the Government was formed. The Constitution itself was grafted upon its stock. The condition of slavery of the African race, as it exists among us, is a 'fixed fact' in the Constitution. From this a tree has indeed sprung, bearing, however, no

* See "Cong. Globe," 1st Sess. 33d Congress.

troubles or bitter fruits. It is the tree of national liberty, which, by the culture of statesmen and patriots, has grown up and flourished, and is now sending its branches far and wide, laden with no fruit but national happiness, prosperity, glory, and renown."

Mr. Campbell: "Will the gentleman from Georgia read the preamble to the Constitution?"

Mr. Stephens: "Yes; and I believe I can repeat it to him. It is in order to form a more perfect union, establish justice, *insure domestic tranquillity*——"

Mr. Campbell: "And secure the blessings of liberty to ourselves and our posterity."

Mr. Stephens: "Yes, sir; to themselves and *their posterity*,—not to the negroes and Africans. And what sort of liberty? Constitutional liberty; that liberty which recognised the inferior condition of the African race among them; the liberty which we now enjoy; the liberty which all the States enjoyed at that time, save one, (for all were then slaveholding, except Massachusetts.) That is the sort of liberty. None of your Socialism liberty. None of your Fourierism liberty. Constitutional liberty,—‘law-and-order’-abiding liberty. That is the liberty which they meant to perpetuate."*

In 1855, Mr. Stephens underwent a critical ordeal in fighting the "Know-Nothing organization," as in the commencement of the struggle he found all his early associates, for the first time, arrayed against him. He felt himself to be in the right, and faltered not. In May of that year he addressed his famous letter to Hon. T. W. Thomas against the "Order." In it he gave his ideas of what true Americanism was, in contradistinction to the standard set up by the new party. True Americanism, as he understood it, was, like true Christianity, not confined to any particular nation or clime. It was not the product of the earth, but emanated from the head and heart. It looked upward, outward, and outward. Toleration of religion and the doctrine of the right of expatriation were distinguishing features of our Constitution; and a vindication of the same principle was one of the causes of the second War of Independence.

"The genuine disciples of 'true Americanism,'" said he, "like the genuine followers of the Cross, are those whose hearts are warmed and fired—purified, elevated, and ennobled—by those principles, doctrines, and precepts which characterize their respective systems. It is for this reason that a Kamtchatkan, a Briton, a Jew, or a Hindoo can be as good a Christian as any one born on 'Calvary's brow' or where the 'Sermon

* See "Congressional Globe," 1st Sess. 34th Congress.

on the Mount' was preached. And, for the same reason, an Irishman, a Frenchman, a German, or a Russian can be as thoroughly 'American' as if he had been born within the walls of the old Independence Hall itself. Which was the 'true American,' Arnold or Hamilton? The one was a native, the other was an adopted son."

The effect of this letter was overwhelming, and extended from Georgia to the adjoining States. His position was nobly sustained; for, commencing with three thousand majority against him in his own district, he came out of the struggle with nearly three thousand majority in his favor.

In the Thirty-Fifth Congress, the issues of which so widely agitated the country, Mr. Stephens bore a distinguished part, and, from his position as Chairman of the Committee on Territories, was particularly prominent on the leading topic of the day. His first duty was in response to the resolutions of respect to the memory of Senator Butler, of South Carolina. His brief but strongly-tinted picture of the Senator—who "with the sense of age had the fire of youth," who, "scorning to wrangle, yet had a zeal for truth," and who, though mercurial in temperament and versatile in accomplishment, was chaste in thought and firm in principle—was one of the most characteristic tributes ever paid on such an occasion.

In the debate on the Neutrality Laws consequent upon the arrest of General Walker by Commodore Paulding, Mr. Stephens disclaimed being in favor of the violation of public faith by either individuals or nations. He was not in favor of the abrogation of our Neutrality Laws so far as they express the laws of nations; but where a part of the law of 1818 admitted of a doubtful construction—as section eight did—he was for removing that doubt. The law should be clear and beyond a doubt. He admitted the right to arrest a fugitive; but General Walker was not a fugitive. He asserted, without fear of contradiction, that Walker was the only legitimately-elected President of Nicaragua by popular vote; and, as the matter stood, his judgment was that Walker should be put in a national ship, with all his men and property, and placed just where he had been before the commission of the outrage.

President Buchanan's message recommending the admission of Kansas under the Lecompton Constitution was transmitted to

the House on the 2d of February. Mr. Stephens moved to refer it to the Committee on Territories. Mr. Hughes, of Indiana, supported the views of the message, and moved to refer it to a committee of thirteen. This was too wholesale a mode of operation for Mr. Harris, of Illinois, who offered an amendment for reference to a committee of fifteen and authorizing an inquiry into and a report upon all the facts connected with the framing of the Lecompton Constitution and the various elections held in Kansas. The House sat until half-past six on the morning of the 6th, through scenes of fruitless discussions, some violence, and perpetual roll-calling. On the 8th, Harris's motion passed, yeas, 114, nays, 111; and on the 11th, Speaker Orr announced the select committee as follows:—Messrs. Harris, of Ill.; Stephens, Ga.; Morrell, Vt.; Letcher, Va.; E. Wade, Ohio; Quitman, Miss.; Winslow, N.C.; Bennett, N.Y.; White, Pa.; Walbridge, Mich.; Anderson, Mo.; Stevenson, Ky.; Adrain, N.J.; Buffinton, Mass.; and Russell, N.Y. On the 10th of March, Mr. Stephens brought in the majority report, and, it being objected to, took the responsibility of having it printed and placed before the country. The report concluded with a resolution "that Kansas ought to be admitted as a State into the Union under the Lecompton Constitution." He put it *strictly* upon the law of the case. If a majority of the people of Kansas were opposed to the Constitution, they ought to have gone to the polls and voted for delegates to the Convention that formed the Constitution. If, from factious or other worse motives, they stayed away and took no part in the election, it was their own fault. The Constitution had been made in pursuance of law: it should be recognised as such; and if the people, after they were admitted, did not like it, they could change it. Messrs. Harris and Adrain issued a counter report; and the question continued to be the leading subject in the House as well as the Senate. The Lecomptonites of the Senate passed the bill on the 24th of March; and on April 1st, Mr. Stephens moved to take it up in the House. On the same day, Mr. Montgomery, of Pennsylvania, offered, as a substitute, the Crittenden bill (defeated in the Senate) as amended by the anti-Lecompton Democratic caucus. This was passed: yeas, 120, nays, 112. Then followed the contention between the Senate and the House until the 14th of April, when

the House acquiesced to the demand of the Senate for a committee of conference.* Mr. Stephens was appointed one of the managers on the part of the House; and the result of the conference was the "English Bill," which passed both branches on the 30th of April. The debates on this substitute were scarcely less exciting than those on the original Senate bill. Mr. Stephens energetically supported it, and was mainly instrumental to its passage. His most noticeable appearance in the House was in a discussion with Mr. H. Winter Davis, of Maryland. In the heat of debate, all sides looked to Mr. Stephens. He expounded the views of his own party and replied to the queries and parried the attacks of the Opposition. When he arose, the House became still as if by an understood agreement. The crowd in the galleries inclined their heads forward, as if the motion of one man; and through the sudden calm the thin, shrill voice of the "gentleman from Georgia" arose, and expanded by degrees, until the sound and sense were so blended that you became satisfied there was no lack of breadth in either. The value placed upon the aid of Mr. Stephens by the Government may be understood from the tribute paid to his labors by the official organ after the passage of the bill:—

"Cool, resolute, self-sacrificing, vigilant, and able, he has stood the Mentor of the body, equal to every demand upon his time and his intellect,—the champion of a noble principle, all the more dear to the people because, in its proposed application, its foundations must be laid beneath the quicksands of past legislations and in opposition to those powerful interests which errors of legislation on the subject of slavery fail to inspire. There have been few instances in the history of the Government which have shown, in any one individual, higher qualities of statesmanship—ability, firmness, patience, industry, and faithful devotion, in time and out of time, to a great principle and a just measure—than have been exhibited by the honorable member from Georgia."

As Chairman of the Committee on Territories, Mr. Stephens introduced Minnesota and Oregon into the Union through the House of Representatives.† He was in favor of allowing three

* See *ante*, under "Crittenden," for a circumstantial outline of action in the House from the introduction of the "Crittenden-Montgomery Bill."

† Minnesota was admitted May 11, 1858, and Oregon on the 12th of February, 1859.

Representatives to sit from the former until the census was taken. On the admission of the latter State he made the most effective speech perhaps that he ever made in Congress. There was very strong opposition to the measure, particularly from the South, his own section. His appeal to his Southern friends may illustrate his general views in relation to the principles of the Government more fully than any thing that has been yet said of him. This was his last speech. In it he said,—

“Now, Mr. Speaker, on another and entirely different aspect of this question I have something special to say to another side of the House,—a distinct class in it. I mean the members coming from slaveholding States. There is evidently a feeling of opposition in that quarter to the admission of Oregon, from a reluctance and manifest indisposition to increase the number of what are called free States. This arises from an apprehension that, with the loss of the balance of power, the rights of our section upon constitutional questions will be less secure. This may be so. It does not, however, necessarily follow. But that balance is already gone,—lost by causes beyond your or my control. There is no prospect of its ever being regained; and, in taking that ground, you do but reverse the position of our sectional opponents on the other side of the House. I know it is the tendency of power to encroach; but let us look to the security which rests upon principle rather than upon numbers. The citadel of our defence is principle sustained by reason, truth, honor, and justice. Let us, therefore, do justice, though the heavens fall.

“Let us not do an indirect wrong for fear that the recipient from our hands of what is properly due will turn upon us and injure us. Statesmen in the line of duty should never consult their fears. Where duty leads, there we may never fear to tread. In the political world great events and changes are rapidly crowding upon us. To these we should not be insensible. As wise men, we should not attempt to ignore them. We need not close our eyes, and suppose the sun will cease to shine because we see not the light. Let us rather, with eyes and minds wide awake, look around us and see where we are, whence we have come, and where we shall soon be, borne along by the rapid, swift, and irresistible car of time. This immense territory to the west has to be peopled. It is now peopling. New States are fast growing up, and others, not yet in embryo, will soon spring into existence. Progress and development mark every thing in nature,—human societies, as well as every thing else. Nothing in the physical world is still; life and motion are in every thing; so in the mental, moral, and political. The earth is never still. The great central orb is ever moving. Progress is the universal law governing all things,—animate as well as inanimate. Death itself is but the beginning of a new life in a new form. Our Government and institu-

tions are subject to this all-pervading power. The past wonderfully exemplifies its influence, and gives us some shadows of the future.

“This is the sixteenth session that I have been here, and within that brief space of fifteen years we have added six States to the Union,—lacking but one of being more than half of the original thirteen. Upward of twelve hundred thousand square miles of territory—a much larger area than was possessed by the whole United States at the time of the treaty of peace in 1783—have been added to our domain. At this time the area of our Republic is greater than that of any five of the greatest Powers in Europe, all combined; greater than that of the Roman Empire in the brightest days of her glory; more extensive than were Alexander’s dominions when he stood on the Indus and wept that he had no more worlds to conquer. Such is our present position; nor are we yet at the end of our acquisitions.

“Our internal movements, within the same time, have not been less active in progress and development than those external. A bare glance at these will suffice. Our tonnage, when I first came to Congress, was but a little over two million; now it is upward of five million,—more than double. Our exports of domestic manufactures were only eleven million dollars in round numbers; now they are upward of thirty million. Our exports of domestic produce, staples, &c. were then under one hundred million dollars; now they are upward of three hundred million! The amount of coin in the United States was at that time about one hundred million; now it exceeds three hundred million. The cotton crop then was but fifty-four million; now it is upward of one hundred and sixty million dollars. We had then not more than five thousand miles of railroad in operation; we have now not less than twenty-six thousand miles,—more than enough to encircle the globe, and at a cost of more than one thousand million dollars. At that time Professor Morse was engaged in one of the rooms of this Capitol in experimenting on his unperfected idea of an electric telegraph,—and there was as much doubt about his success as there is at present about the Atlantic cable,—but now there are more than thirty-five thousand miles in extent of these iron nerves sent forth in every direction through the land, connecting the most distant points, and uniting all together as if under the influence of a common living sensorium. This is but a glance at the surface: to enter within and take the range of other matters,—schools, colleges, the arts, and various mechanical and industrial pursuits, which add to the intelligence, wealth, and prosperity of a people and mark their course in the history of nations,—would require time; but in all would be found alike astonishing results.

“This progress, sir, is not to be arrested. It will go on. The end is not yet. There are persons now living who will see over a hundred million human beings within the present boundaries of the United States,—to say nothing of future extension,—and perhaps double the number of States we now have, should the Union last. For myself, I say to you, my

Southern colleagues on this floor, that I do not apprehend danger to our constitutional rights from the bare fact of increasing the number of States with institutions dissimilar to ours. The whole governmental fabric of the United States is based and founded upon the idea of dissimilarity in the institutions of the respective members. Principles, not numbers, are our protection. When these fail, we have, like all other people who, knowing their rights, dare maintain them, nothing to rely upon but the justice of our cause, our own right arms and stout hearts. With these feelings and this basis of action, whenever any State comes and asks admission as Oregon does, I am prepared to extend her the hand of welcome, without looking into her Constitution further than to see that it is republican in form, upon our well-known American models.

“When aggression comes, if come it ever shall, then the end draweth nigh. Then, if in my day, I shall be for resistance, open, bold, and defiant. I know of no allegiance superior to that due the hearthstones of the homestead. This I say to all. I lay no claim to any sentiment of nationality not founded upon the patriotism of a true heart, and I know of no such patriotism that does not centre at home. Like the enlarging circle upon the surface of smooth waters, however, this can and will, if unobstructed, extend to the utmost limits of a common country. Such is my nationality,—such my sectionalism,—such my patriotism. Our fathers of the South joined your fathers of the North in resistance to a common aggression from their fatherland; and if they were justified in rising to right a wrong inflicted by a parent country, how much more ought we, should the necessity ever come, to stand justified before an enlightened world in righting a wrong from even those we call brothers! That necessity, I trust, will never come.

“What is to be our future I do not know. I have no taste for indulging in speculations about it. I would not, if I could, raise the veil that wisely conceals it from us. ‘Sufficient unto the day is the evil thereof,’ is a good precept in every thing pertaining to human action. The evil I would not anticipate; I would rather strive to prevent its coming; and one way, in my judgment, to prevent it is, while here, in all things to do what is right and proper to be done under the Constitution of the United States,—nothing more and nothing less. Our safety, as well as the prosperity of all parts of the country, so long as this Government lasts, lies mainly in a strict conformity to the laws of its existence. Growth is one of these. The admission of new States is one of the objects expressly provided for. How are they to come in? With just such Constitutions as the people in each may please to make for themselves, so they are republican in form. This is the ground the South has ever stood upon. Let us not abandon it now. It is founded upon a principle planted in the compact of Union itself, and more essential to us than all others besides; that is, the equality of the States and the reserved rights of the people of the respective States. By our system, each State, however great the

number, has the absolute right to regulate all its internal affairs as she pleases, subject only to her obligations under the Constitution of the United States. With this limitation, the people of Massachusetts have the perfect right to do as they please upon all matters relating to their internal policy; the people of Ohio have the right to do the same; the people of Georgia the same; of California the same; and so with all the rest.

“Such is the machinery of our theory of self-government by the people. This is the great novelty of our peculiar system, involving a principle unknown to the ancients, an idea never dreamed of by Aristotle or Plato. The union of several distinct, independent communities upon this basis is a new principle in human Governments. It is now a problem in experiment for the people of the nineteenth century upon this continent to solve. As I behold its workings in the past and at the present, while I am not sanguine, yet I am hopeful of its successful solution. The most joyous feeling of my heart is the earnest hope that it will, for the future, move on as peacefully, prosperously, and brilliantly as it has in the past. If so, then we shall exhibit a moral and political spectacle to the world something like the prophetic vision of Ezekiel, when he saw a number of distinct beings or living creatures, each with a separate and distinct organism, having the functions of life within itself, all of one external likeness, and all, at the same time, mysteriously connected, with one common animating spirit pervading the whole, so that, when the common spirit moved, they all moved,—their appearance and their work being, as it were, a wheel in the middle of a wheel; and whithersoever the common spirit went, thither the others went, all going together; and when they went he heard the noise of their motion like the noise of great waters, as the voice of the Almighty. Should our experiment succeed, such will be our exhibition,—a machinery of government so intricate, so complicated, with so many separate and distinct parts, so many independent States, each perfect in the attributes and functions of sovereignty within its own jurisdiction,—all, nevertheless, united under the control of a common directing power for external objects and purposes,—may, natural enough, seem novel, strange, and inexplicable to the philosophers and crowned heads of the world.

“It is for us, and those who shall come after us, to determine whether this grand experimental problem shall be worked out; not by quarrelling among ourselves; not by doing injustice to any; not by keeping out any particular class of States; but by each State remaining a separate and distinct political organism within itself,—all bound together for general objects, under a common Federal head; as it were, a wheel within a wheel. Then the number may be multiplied without limit; and then, indeed, may the nations of the earth look on in wonder at our career; and when they hear the noise of the wheels of our progress in achievement, in development, in expansion, in glory, and renown, it may

well appear to them not unlike the noise of great waters, the very voice of the Almighty—*Vox populi! Vox Dei!* [Great applause in the galleries and on the floor.]”*

Previous to the last session of Congress, it was announced that Mr. Stephens would retire at its close. It was ardently hoped that the rumor was groundless, as much by the party he was opposed to as by that which he had elevated by his wisdom, energy, and eloquence. A complimentary dinner was tendered him in Washington by the prominent men of all parties, including Senators and members,—an unusual manifestation of personal regard. This he declined, but yielded to a like invitation of his immediate constituents. This was given in the city of Augusta, in his district, without distinction of party, on the 2d of July last. He addressed the assemblage in a speech reviewing public events since his entrance into public life, and retired with feeling but manly words of hope. He left the country in a better condition than he found it upon entering its councils. Whatever dangers may have threatened the Republic, her material resources, intellectual advancement, social condition, or political status had suffered no detriment. On the contrary, he beheld in her progress a career unprecedented. He dwelt on the agitations growing out of the Slavery question, in conformity with his views as already set forth, and, showing the good which emanates from the public discussion of principles, desired his friends to weigh not too lightly the most violent discussions by public men, even upon the most abstract principles. They underlie all popular rights, and constitute the essence of sovereignty and independence. The war of the Revolution was fought more in vindication of abstract principles than for the redress of any practical grievances. It was the right to impose taxes without representation, more than the amount imposed, that was complained of. “The very bill,” said Mr. Stephens, “that led to resistance reduced the tax, but asserted in its preamble the unlimited and unconditional right to tax. The amount involved in the Dred Scott case was small, but on the principle probably depended the destiny of the country.”

In the acquisition of Cuba Mr. Stephens beheld a most import-

* See “Cong. Globe,” Appendix, 2d Sess. 35th Congress, Feb. 12, 1859.

ant measure, but he would not give Spain more than a million or two for it. The true policy would be to repeal all laws making it penal for Americans to go and help the Cubans to independence. Whatever may be our expansion, he saw no danger to the South, if the Territorial policy now settled should be adhered to, as by it the South could colonize and expand too with her institutions, to the full extent of her capacity and population; but he could not expect to see many new slave States unless they had an increase of African stock. Boundaries do not make States. People make them, and it requires people of the African race to make slave States. He questioned whether the South could furnish the requisite number to secure more than the four States to come out of Texas. We could not get more without a foreign supply. If but few more slave States come into the Union, it will not necessarily be in consequence of Abolitionism or Wilmot-Provisoism, but for want of negroes. "It is useless," said Mr. Stephens, "to wage war on those who may withhold Congressional legislation to protect slave-property in the Territories, or to quarrel among ourselves and accuse each other of unsoundness on that question, unless we get more Africans to send there to be protected. I give you no opinion upon the subject except this: that, without an increase of African slaves from abroad, you may not expect or look for many more slave States."

Mr. Stephens did not agree with those who assailed a "higher law." He believed in it, and held that in the law of the Creator, as manifested in His works and His revelations, the cause of the South eminently rested. In an eloquent passage he showed why he recognised to the fullest extent the doctrine that all human laws and constitutions must be founded upon the divine law. He would not swear to support any constitution inconsistent with this higher law. He showed the gradation of every thing in nature, and condemned, as the wickedest of all follies and the absurdest of all crusades, those which attempt to make things equal which God in his wisdom has made unequal. Slavery or subordination was the normal condition of the negro. He did not hold to the doctrine which teaches that that Government is best which secures the greatest amount of happiness to the greatest number. One hundred men have no right to enjoy happiness at the expense of ninety-nine or a less number. That

is best which secures the most happiness to all; and if our system is not the best, or cannot be made the best, for both master and slave, it ought to be abandoned. While Southern security was, in his eyes, paramount to the safety of the Union, he expressed himself strongly in favor of the latter, and believed that it would be preserved as long as intelligence, virtue, integrity, and patriotism ruled the National Councils.

In conclusion, Mr. Stephens said he retired from no feelings of discontent, but because, the questions having been settled with which he had been connected, he desired to follow some more agreeable pursuits. There was no office under heaven he wished to hold; and, in quitting public life, he hoped and believed no crisis would occur to require his active participation in public affairs again. With a deep regret if he had ever, in the heat of party excitement, inadvertently wounded the feelings of an opponent, he invoked undisturbed peace and prosperity on our common country. In that speech one of the best and wisest men of the country took his leave of the public stage.

Mr. Stephens is proverbially kind, but of his many good acts none is more deserving of mention than his liberal assistance to boys and young men. Having received aid in procuring his own education, he appreciates its value. He has aided, as he was aided, upward of thirty, and has for several years kept annually at least three at college. He generally selects the orphan and the destitute,—those who have a desire for knowledge without the means of obtaining it.

I commenced this brief sketch with an allusion of Thorpe's to Stephens as a celebrity in Washington, and I may not inaptly close it with a rapid and comprehensive picture made by John Mitchel at that home to which the statesman has been so deeply attached from childhood and to which he has retired in his effulgent maturity:—

“At Crawfordville,” writes Mitchel, “a village on one of the piney ridges of Georgia, in an unpretending and somewhat desolate-looking house, (desolate-looking it may well be, for no fair and kindly house-mother ever made it shine and smile,) dwells one of the choicest and rarest spirits of our hemisphere. Youthful and almost boyish-looking, yet stricken by mortal malady,—one who has made a ‘covenant with death,’ yet whose veins are full of the most genial life,—with the cold

hand clutching at his vitals, yet with a laugh clear and ringing as the marriage-bell; his thin face is of deathly hue, yet the dark eyes are blazing lamps. If you are his friend, he is gentle and affectionate as a girl; if his enemy, he will have great pleasure in standing opposite to you at any distance that may be arranged,—in which case you had better look sharp, for he is cool as an oyster. A student and true philosopher, a laborious and conscientious legislator, a powerful lawyer, and a zealous cultivator of grapes, (Catawba and Scuppernong,) for he has faith in the virtues of wine,—a generous friend and patron of humble merit, for the which many prayers and blessings arise every evening on his behalf,—a noble imaginative orator, yet not of the Charles Phillips school of ‘Irish oratory’ by any means, his taste being too highly educated for that species of rigmarole,—such is Alexander H. Stephens.”

HENRY A. WISE,

OF VIRGINIA.

WITHOUT doubt, one of the most remarkable and brilliant men of the day is he whose name stands at the head of this sketch. A clear thinker, a forcible debater, and a man ready for every occasion, few have attracted so much public attention, and none have deserved his great and exciting successes better.

Henry Alexander Wise, the son of John Wise and his wife Sarah Corbin Cropper, was born on the 3d of December, 1806, at Accomac Court-House, called Drummondtown. On both the paternal and maternal side he is descended from military people of energy and great decision of character. His father was the son of Colonel John Wise, a commissioned colonel of the King of England, and one of the earliest emigrants to the Eastern Shore of Virginia; and his mother was the daughter of General John Cropper, who, commissioned as captain in February, 1776, while yet but nineteen years old, fought under Washington at Germantown, Princeton, Monmouth, Trenton, Chadd's Ford, and Brandywine, won the esteem of La Fayette, and, after further service in the South,—chiefly as county lieutenant of Accomac County,—died a brigadier-general in January, 1821, aged sixty-five years.

At the period of the birth of Henry A., his father, who was a lawyer by profession and had been distinguished as Speaker of the House of Delegates previous to 1800, was clerk of the courts of Accomac. He died in 1812, and was followed by his widow in the succeeding year. Thus the subject of this sketch was orphaned at the age of seven years. He was taken to Bowman's Folly, the old family seat of Sir Edmund Bowman, an ancestor of his mother's, and, after some further changes, was placed under the care of two paternal aunts at Clifton, on the Chesconessex Creek, where he remained two years, and learned the alpha-

bet and the Lord's Prayer. Margaret Academy next had the honor of his presence, where he learned as much mischief and as little Greek and Latin as were needed to sustain the character of that institution; and so it turned out that when—in 1822— young Wise was sent to Washington College, Pennsylvania, it was with much difficulty that he entered the sophomore class. The college was then under the Presidency of Dr. Andrew Wylie, a North-of-Ireland Presbyterian, whose reputation comes to our day as that of a gentleman, philosopher, linguist, and metaphysician,—as also that of “a cavalier who loved virtue for virtue's sake, truth for truth's sake, and his fellow-creatures for their own sake,” and cultivated in his pupils the additional accomplishments of “gallantry and high game.”

This suited young Wise exactly; and his progress in the polite arts, as well as in “high game,” was of a most satisfactory nature. He greatly distinguished himself in the debates of the Union Literary Society, and, as its champion, carried off the victory twice from a rival society, and on a third trial brought the judges to a tie. He graduated in 1825, before he was nineteen, dividing the first honor with a Maryland youth named Mitchell. Mr. Wise commenced practice as an advocate before he left college, having volunteered to defend W. H. McGuffey, who was suspended for thrashing a fellow-student. Wise justified his course, and narrowly escaped sharing the penalty inflicted on his client. How now stand these gentlemen of the same alma mater? asks Dr. Hambleton, and answers, “One [McG.] adorns the chair of Moral Philosophy in the greatest, best-regulated, best-conducted, and most republican university in the land, and the other presides over the Commonwealth of Virginia.”*

Mr. Wise left college in 1825, and returned home by way of Canada and New York. He studied law in the school of Henry St. George Tucker, at Winchester, with whom he remained until the fall of 1828, when he went home and cast his maiden vote for Andrew Jackson. Having married† in October of that year,

* “Virginia Politics in 1855,” &c., by James P. Hambleton, M.D.

† Mr. Wise was married to Ann Eliza, daughter of Rev. Dr. O. Jennings, of Washington College, on the 8th of October, 1828. She died in June, 1837. He was married a second time, in November, 1840, to Sarah, third daughter of Hon. John Sergeant, of Philadelphia. She died in 1850. He was married a

in the city of Nashville, Tennessee, he settled there, formed a law-partnership, and achieved a good practice, but, yearning for his native State, returned to Accomac in the fall of 1830, and in the following spring commenced a very successful professional career, to which he soon added a political one of a very remarkable and active character, and which has grown in vitality and importance down to the moment at which these lines are written.

Although the parents and relatives of Mr. Wise were Federalists, he early declared himself in favor of State rights, and has continued one of the most vigorous exponents of that doctrine. He represented the York District in 1832 as delegate to the Baltimore National Democratic Convention, and supported General Jackson for the first office, but refused to acquiesce in the nomination of Van Buren for Vice-President. During the Nullification furore in 1832-33, Mr. Wise espoused the doctrine of the resolutions of 1798-99, as reported by Madison,—“that each State for itself is the judge of the infraction, and of the mode and manner of redress.” He was, therefore, opposed on the one hand to the Proclamation and Force Bill, and on the other to the remedies of South Carolina, and set forth his views in an address to the York District, which Mr. Ritchie at the time characterized as “a masterly refutation of many of the errors of the day,—the doctrines of *consolidation* as well as of Nullification.” Mr. Wise then, as now, was equal to any emergency, and very soon brought his “high-game” proclivities into the political arena, of which Ritchie thus gives us an early illustration when he says, “Mr. Wise has been bitterly assailed by the Nullifiers; but he is fully able to defend himself. He asks no quarter from them, and he will give none.” Mr. Wise in those days supported Jackson to save the Union, while he condemned his course,—thinking that a milder one was more suitable to the crisis. In 1833, the Jackson party of the Eastern Shore presented Mr. Wise as a candidate for Congress against Hon. Richard Coke, of Williamsburg, who had represented the York District but became a Nullifier on the appearance of the Proclamation. The contest was severe and acrimonious, but resulted in

third time to Mary Elizabeth Lyons, sister of a distinguished lawyer of Richmond, Virginia, in November, 1853.

the election of Wise by four hundred majority, and a duel with his antagonist, the latter being the challenging party. In the "affair of honor," Mr. Coke's right arm was fractured.

Mr. Wise was among the seventeen Democrats of the House who seceded from Jackson on the removal of the deposits. Hambleton gives a strange anecdote of this period. In Wise's speech on the removal of the deposits he quoted a remark of John Randolph's about the "rara avis," the "black swan," and alluded to the fact that his death had not been announced in the House, saying it was no fault of his. This called out, a few days afterward, Randolph's successor, Judge Bouldin, who took the floor and commenced giving the reasons thus:—"I will tell my colleague the reason why"—Here his head went back, the veins in his temples became corded, his face for a moment was distorted, and he fell a dead man. What is strange about this whole affair is, that the only allusion to the death of Mr. Randolph ever made in the House of Representatives prefaced the death of him who filled his seat.* Mr. Wise was re-elected in 1835, and again in 1837, as the advocate of the principles of Hugh Lawson White and John Tyler, who had been run respectively for the offices of President and Vice-President in opposition to Van Buren and Johnson,—“That is, opposed to the Pet Bank system, Benton's Sub-Treasury, and the reference of Abolition petitions to special or any committee, and the fearless advocate for the annexation of Texas, a Tariff for revenue only, &c.”

The famous Graves and Cilley duel took place in 1837. Mr. Wise was the second of the former, and Hon. George W. Jones, of Iowa, the second of the latter. It grew out of an attack by Mr. Cilley on James Watson Webb, of the "Courier and Enquirer." Graves first acted as the friend of Webb, when Cilley refused to be accountable for words spoken in debate. A question of veracity having subsequently arisen, Graves became a principal, and acted by the advice of Henry Clay. Mr. Wise was opposed to the duel, and desired to delay it, and, if possible, settle the affair by negotiation. He declined several times to bear the challenge to Mr. Cilley; and, on the last occasion of his doing so, "Mr. Graves appealed to Messrs. Clay and Menefee to bear witness that on one

* Hambleton, p. 20.

occasion, in the absence of Mr. Wise from the House of Representatives, he had, without asking the right or the wrong of Mr. Wise's controversy, taken up his personal quarrel, and was ready to fight for him,—that he had more confidence in him than any one else as his friend on the ground; and that if he (Wise) suffered him to go upon the field without guarding his life and his honor, and he was brought back a corpse, he desired his wife, his children, and his friends to know that he (Wise) had failed to stand by him after he knew he was determined to fight." Mr. Wise could not withstand this appeal. He carried the challenge to Mr. Cilley, copied by Mr. Graves from Mr. Clay's manuscript. Mr. Wise had, however, resolved to prevent, if possible, the hostile meeting. After nightfall, Mr. George W. Jones brought an acceptance, and the terms proposed,—eighty yards, with rifles. Mr. Wise demurred. Mr. Clay instantly exclaimed, "No Kentuckian can back out from a rifle!" Mr. Wise's object still being that of delay, he met Mr. Jones, the next morning, and said he must have time to go to Philadelphia for a rifle, as he did not know where else to get one that was reliable. Mr. Jones replied, "Certainly, sir, there must be a gun which can be relied on in the whole District of Columbia!" At this answer, Mr. Wise was somewhat provoked, and replied, "If you know of one, sir, I would be glad if you would furnish me with it." Thereupon, the next morning, a rifle, powder-flask, bullet-moulds, &c. were found upon Mr. Wise's table, with a polite note tendering the rifle, &c. "to Mr. Graves." Graves was a very bad and Cilley a crack shot; yet at the third fire the latter was shot, and died in a few moments. His death led to great public excitement; and a committee of investigation was ordered by the House. The chief onus of the affair was sought to be placed on Wise; and even those with whom he had acted from personal motives allowed this opinion to prevail in order to shield themselves.

Mr. James Watson Webb, in 1842, alleged, in the "Courier and Enquirer," that Mr. Wise had instigated the duel. Such a charge was totally unfounded, unjust, and even cowardly, emanating as it did from Mr. Webb, who was directly connected with the affair. Soon after this slanderous and malicious allegation had appeared in the "Courier and Enquirer," Mr. Wise pub-

lished the facts of the case in the "Madisonian." Mr. Clay, finding that an explanation might injure his prospects for the Presidency in 1844 or at some future time, wrote to Mr. Graves, and persuaded him to say that he (Clay) had no part whatsoever in the advice, counsel, or preparation of the duel. Mr. Clay published that letter in the "National Intelligencer" as true. Immediately Mr. Wise addressed to him categorical questions, which he placed in the hands of Dr. Linn, of Missouri. Mr. Clay replied, admitting his whole part in the affair, and generally justified Mr. Wise as well as himself. For his conduct in this affair Mr. Wise never could forgive Clay, although he acted as his negotiator for the support of Judge White in 1839. The above account is condensed from Hambleton's compilation of "Virginia Politics."

Mr. Wise's influence was paramount in placing Mr. Tyler on the Harrison ticket for the Vice-Presidency,—which accounts for his having been the mainstay and bulwark of his Administration. Mr. Wise's course was prompted by the most strictly Southern-Rights conception of the Constitution and by his knowledge of the antecedents of Mr. Tyler, who had been previously nominated on the States-Rights platform with Judge White. It is held by his admirers that Wise and the Democrats who acted with him, by placing, after great exertions, Mr. Tyler in nomination, saved Texas and the Union, and placed the country and the Democratic party in an attitude that insured their brilliant success under the banner of Polk and Dallas in 1844. Meeting Mr. Clay and Thomas W. Gilmer in the spring of 1841, Mr. Wise, alluding to the recent election, said, "Well, sir, we have fought a good fight in Virginia, sir; and, although we did not exactly win the victory, we came off with the honors of war." To which Clay replied, "I congratulate myself, sir, that Virginia has gone for the enemy." "Why," said Wise, "I thought you once said you would prefer defeat with your mother State for you, to victory with her voice against you." "Sir," rejoined the great orator, "we will no longer be embarrassed by her peculiar opinions." Clay's interpretation of the matter is regarded as a backing out of the pledges which he made to White through Mr. Wise, when he sought the adherence of the States-Rights Democrats to forward his views for the

Presidency. After the success of Harrison, the first move of the victors under Clay was to call an extra session, so that they could put forward their favorite measures on the incoming of their President. Wise not only opposed the extra session, but the whole scheme of action mapped out by the Whigs. The death of Harrison disconcerted their plans. Wise immediately sought Tyler, and advised him by all means to veto the United States Bank Bill and to further the speedy annexation of Texas; and in both cases his advice was taken.

In 1842, the United States Senate rejected Mr. Wise's name, which was sent in as Minister to France. In the spring of 1843, he was re-elected to Congress; but, his health giving way, he was nominated for the Rio Janeiro mission. He was near being defeated by the same influence that had rejected him before; but, previous to the decision, Senator Archer, of Virginia, sought Mr. Wise, and asked him why he had been so bitter in his late canvass against Mr. Clay. Wise, in reply, inquired "if the French mission, the Brazilian mission, and all the rest of the missions belonged to Mr. Clay. Was subserviency to him a necessary qualification for office? Were personal differences, and not public considerations, to govern in selecting foreign ministers?" In conclusion, he told Mr. Archer to go back to his friends, and tell them "that, if they would act like men worthy to be called friends of their idol, they would resent his insults, and would do so in their proper persons, and not by abusing their public offices." Senator Archer made no report in caucus, save a demand that Wise be sent to Rio Janeiro,—which was done. His course in Brazil, whither he went in May, 1844, was highly approved by the Tyler and Polk Administrations. He returned in October, 1847, and participated in the Presidential contest of the succeeding year. In 1850, he was elected to the State Convention which revised the Constitution.

At the close of the summer of 1854, attention began to be directed to the Gubernatorial election that was to take place in the ensuing year. Various parties were spoken of; and early in September a meeting was held in Norfolk County, and a committee appointed to correspond with the most prominent gentlemen, in order to obtain their opinions regarding the "Know-Nothings." This new party, according to the most reliable

information, was first organized in the town of Charlottesville, in July, 1854, and soon numbered several councils scattered all over the State. A State Council was authorized by the Grand Council of Thirteen of the State of New York to grant charters for the establishment of councils in Virginia; and the consequence was "that in nearly every secluded grove, retired school-house, and concealed recess could be found a band of men veiled in secrecy, and, under cover of darkness, administering Jesuitical oaths and teaching cabalistic signs to the thoughtless, indiscreet, and unsuspecting novitiates." The committee of correspondence addressed Lieutenant-Governor S. F. Leake, Hon. John Letcher, James A. Seddon, Henry A. Wise, and ex-Governor William Smith, all of whom save the latter promptly replied. Wise's letter was considered a masterly production, full of the true spirit of a Southern republican and statesman. Starting out with the proposition that the present state of affairs in this country was not such as to justify the formation of any secret political society, he proved it by a pithy and powerful argument, which was the touchstone of the great campaign with which his name will be forever identified. It embraced most of the views which he enlarged upon so brilliantly and effectively in the contest, and furnished unanswerable arguments to the constitutionalists all over the country. He showed that

The laws of the United States—Federal and State laws—declare and defend the liberties of the people; and the will of the people was the source of all constitutions and laws. The mind, as the person, was free, and the spirit of the laws the body-guard and home-guard of the people. Would any man propagate truth? Truth is free to combat error. Would he propagate error? Error itself may stalk abroad provided truth is free to follow, however slowly, with her torches to light up the wreck. What necessity, then, was there for secrecy? If it be good, why not make it known? Here was a great primary organization, all of which that was known was, its proscription of persons of foreign birth and Catholic faith, and of those who did not proscribe them.

The natives were to the foreign-born in the United States in the ratio of eight to one. In Virginia, the natives were to foreign-born citizens as thirty-eight to one. The number

of churches in the United States was 38,061; of Catholic churches, 1221: more than thirty-one to one were Protestant. In Virginia the churches numbered 2,383; Catholic churches, 17: more than one hundred and forty to one. Other figures were used to exhibit the immense minority in which the foreign and Catholic citizens were. Wise asked, What had such a majority to fear? Where was the *necessity* for this master majority to resort to secret organization? It confessed to *something* which dared not meet the scrutiny of knowledge. He did not think that any secret, new-born patriotism was needed to protect us from foreign influence. When we were as weak as three millions, we relied largely on foreigners by birth to defend us and aid us in securing independence. Now that we were twenty-two millions strong, how is it that we have become so weak in our fears as to apprehend we were to be deprived of our liberties by foreigners? As for the Pope, he would as soon think of dreading him as the ghost of Guy Fawkes.

There was not only no necessity for this secret political organization, but it was against the spirit of our laws and the facts of our history. Our laws sprung from the necessity of the condition of the early settlers. The very experience of despotism they had once tasted made them hate tyrants, either elective or hereditary. They had to fight Indians from Philip, on Massachusetts Bay, to Powhatan, on the River of Swans. These *foreigners* did their task like men. They grew and thrived until they were rich enough to be taxed. They were then told that taxation was no tyranny. But these foreigners gave the world a new truth,—that taxation without representation was tyranny. The attempt to force it made them resolve that they would give millions for defence, but not a cent for tribute. That resolve drove them—foreigners, Protestants, Catholics, and all—to the alternative of war. They united, with dependence on God alone, and issued a Declaration of Independence of all earth; and one of their first complaints (against the King of England) was that “he has endeavored to prevent the population of these States; for that purpose, obstructing the laws for *naturalization of foreigners.*”

They pledged themselves to tolerance in religion and to “mutuality” in political freedom. Here was proof enough that

foreigners and Catholics both entered as material elements into our Americanism. "Know-Nothingism" was against Americanism itself; for one of the best fruits of the Revolution was to establish, for the first time in the world, the human right of expatriation. Prior to our separate existence as a nation of the earth, the despotisms of the Old World had made a law unto themselves, whereby they could hold forever in chains those of mankind who were so unfortunate as to be *born* their subjects. Before 1776, Virginia and all the Colonies encouraged immigration. It was a necessity as well as a policy of the whole country. George III. was compelled to renounce our allegiance to him, though we *were* born his subjects. Yet, when we had a separate existence, we were called on to recognise the odious maxim "once a citizen, always a citizen;" but, spurning the dogma and the tyrants who boasted the power to enforce it, the fourth power which the Convention of 1787, that formed our blessed Constitution, enumerated, was that "The Congress shall have power 'to establish a uniform rule of naturalization.'"

In 1812, we declared the last war for "Free-Trade and Sailors' Rights,"—that is, for the right of naturalized citizen-sailors to sail on the high seas and trade abroad free from search and seizure. We had reciprocally undertaken to *protect* them, in consideration of their oaths of allegiance to the United States. How protect them? By enabling them to fulfil their obligations of allegiance and fidelity, by making them free to fight for our flag, and free in every sense, just as if they had been born in our country. Fight for us they did; naturalized and those not naturalized were of our crews. They fought in every sea for the flag which threw protection over them, from the first gun of the Constitution frigate to the last gun of the boats on Lake Pontchartrain. That war sealed in blood the American principle,—the right of expatriation, the right and duty of naturalization, the right to fly from tyranny to the flag of freedom, and the reciprocal duties of allegiance and protection.

This is but a very meagre outline, indeed, of the grounds on which Henry A. Wise commenced his high-spirited and furious war "for, and not against, the imperishable American truths" he enunciated. This able letter was the tocsin of war, and the death-knell of the "secret political organization." After the

claims of the leading candidates were discussed in the papers, a convention was held at Staunton, November 30, which resulted in the nomination—December 2—of Mr. Wise for Governor. The “Know-Nothings” professed satisfaction at this result,—as Mr. Wise, though well known, was little understood previously. Among the Democracy, it was argued that he voted for the Whigs in 1840, and opposed Jackson in Congress. His independence was regarded as dangerous; and Hambleton—who ought to know—says that “no candidate ever went before the people under more discouraging circumstances.” He was extensively misrepresented and slandered; but his natural fervor and vigor, exalted to an almost superhuman frenzy by the truthful splendor of the principles he held, made him invincible. Virginia attracted the general attention of all the States; and before the canvass was completed the eyes of all were resting on it with the most fervent and excited anxiety. Wise had created this anxiety, and he struggled like one who felt he could satisfy the interest he had conjured up. It was one of the most brilliant political campaigns in this or any other country. The Democracy had to meet a formidable and insidious enemy, flushed with victory. Nothing but the clarion tones and fearless energy of Wise could have met them. Had any other man been at the lead in that stormy fight, the proud Old Dominion would have been hurled into abysmal disgrace and dishonor.

In this connection, the following important letter will be found of lasting interest and worthy of permanent record.

“RICHMOND, VA., April 19, 1855.

“Dear Sir:—The letter which you have addressed to me contains three questions, to which you ask an answer, with a view to publication.

“First Question: ‘Whether the Catholics in Virginia do acknowledge any temporal allegiance to the Pope.’

“To this I answer, that unless there be in Virginia some Italians who owe allegiance to the Pope as a temporal prince, because they were born in his States and are not naturalized citizens of this country, there are no Catholics in Virginia who owe or acknowledge any temporal allegiance to the Pope.

“Second Question: ‘Whether, if this country could be and was assailed and invaded by an army of the Pope, (if he had one,) or by any other Catholic Power, the Catholic citizens of this country, no matter where born, would not be as much bound to defend the flag of America, her rights and liberty, as any native-born citizen would be.’

"Answer: To me, the hypothesis of an invasion of our country by the Pope seems an absurdity; but, should he come with armies to establish temporal dominion here, or should any other Catholic Power make such an attempt, it is my conviction that all Catholic citizens, no matter where born, who enjoy the benefits and franchises of the Constitution, would be conscientiously bound, like native-born citizens, to defend the flag, rights, and liberties of the Republic and repel such invasion.

"Third Question: 'Whether the performance of that duty would conflict with any oath, or vow, or other obligation, of the Catholic.'

"Answer: Catholics reared in the Church as such have not the custom of taking any oaths or vows, except the baptismal vows, 'to renounce the Devil, his works and pomps.' Persons converted to the faith, or those receiving degrees in theology, may be required to take the oath contained in the creed of Pius IV.,—of obedience to the Pope,—which, as far as I know, has always been understood and interpreted to signify a spiritual obedience to him as head of the Church, and not obedience to him as a temporal prince. Bishops, on their consecration, also take an oath, which in our country is different from the old form used in Europe. But none of these vows, oaths, and no other obligation of which I am aware, conflicts with the duty of a citizen of the United States to defend the flag and the liberties of his country.

"In conclusion, allow me to state that, as we have no article of faith teaching that the Pope, of divine right, enjoys temporal power as head of the Church, whatever some theologians or writers may have said on this point must, like my answers to your inquiries, be considered as opinions for which the writers themselves only can be held responsible.

"Yours, very truly, &c.,

"J. M'GILL, *Bishop of Richmond.*

"To JAMES LYONS, Esq."

After publishing a list of appointments, Mr. Wise opened the canvass at Ashland Hall, Norfolk City, on the 5th of January, 1855. The journals of that city picture the scene as interesting. His address was forcible, well arranged, and argumentative, abounding in the most bitter sarcasm and the most soothing appeals. Its effect can be best illustrated, in the words of one of these papers at the time, "by the earnest attention with which it was heard, and the frequent bursts of applause that followed his telling, sabre-like flashes of eloquence."* The "Know-Nothing" and Whig press retorted on him by reviewing his antecedents. The great charge against him was inconsistency,—that he had been an active Whig leader, and that he now pro-

* "Norfolk Argus" and "News" of the time.

claimed he had no recantations to make. Fusion with "Know-Nothingism" was recommended to the Whigs, and Whig orators and writers declared the new organization to be not a Whig trick, but "a great party of reform, embracing alike Whigs and Democrats." In a very bold speech at Alexandria, on the 3d of February, 1855, Mr. Wise flung back the aspersions, and left not a doubt as to the position in which he stood. He announced himself as the standard-bearer of the Democracy of Virginia, twice endorsed as Elector,—in 1848 and 1852,—and then nominated for the Governorship.

"If," said he, "any Democrat in this assembly recollects that, in times past, I did not always regard regularly-organized nominations, and chooses to vote against me on that account, let him do so, provided he will stand where I have ever stood,—upon principle, acting *bona fide* as an earnest, honest man; let him then, I say, vote against me. When he does it, let him remember that he then does the very act for which he is condemning me: he will be voting against the regular nominee. If there be any Whig in this assembly who will vote against me because I am not what he calls consistent, and because I have chosen to use party as a servant and not as a master, I would not ask him for his vote. But I would ask him not to be like me, whom he chooses to deem inconsistent. [Applause.] I ask him, when he comes to the polls, to be true and clear in act and conscience,—not carrying before him a dark lantern of a secret association, and gripping a Democrat with one hand and a Whig with the other."

He repudiated the idea of addressing himself to a party: he spoke of principles, and addressed the people; and, mapping out the necessities of the State, he created quite a sensation by saying, "If I be elected Governor of Virginia, then, I tell you bluntly and briefly, if it be necessary to tax you to defend her honor, I shall command taxation, though it make us groan." Next to public credit he held the public works; and those in Virginia were started without any idea of their relative importance to each other. The canals and railroads, he said, were like "ditches dug in the middle of a plantation, without outlet at either end." "You appropriate for them to-day, neglect them to-morrow, and leave the appropriation of the day after to-morrow to repair decay." He wanted Virginia to reach out her arms to the great West, "to tap the Ohio," and join the Big Bend with the rivers of the East. While her public works were incomplete, Virginia would have no commerce. With great power and resources, she

had been dwarfed in the Union. She had been called the "Old Dominion:" he implored his hearers to do something for her progress, and to justify calling her the *New Dominion*. After dwelling on the wants and prospects of Virginia, he reviewed the message of Governor Gardner to the Legislature of Massachusetts and the discourse of Rev. J. Freeman Clarke on "the rendition of Anthony Burns," and elicited the greatest enthusiasm. The peculiarity of Mr. Wise's oratory—its sudden transition from "grave to gay, from lively to severe"—was eminently characteristic of this speech, which, in some respects, was one of the speaker's most telling efforts. Deploring the fate of Massachusetts, he said, "Massachusetts! Massachusetts! the elder sister of Virginia, who in the night of the Revolution gave her password for password, sign for sign, cheer for cheer, in the midst of our gloom! Massachusetts has thrown aside her Puritanism, her Christian religion, her Bible, her Constitution, and has given herself up to Know-Nothingism and Anti-Slavery." (Tremendous cheering.) Rev. Mr. Clarke remarked in his discourse that Northern enthusiasm and conscience, when fully aroused, "have always been more than a match for Southern organization," upon which Wise exclaimed, "Northern conscience! O gods! (great laughter,) Northern conscience! Take a shark-skin and let it dry to shagreen; skin the rhinoceros; go then and get the silver-steel and grind it; and, when you have ground it, take the hone and whet it till it would split a hair, and with it prick the shagreen or the rhinoceros-skin, and then go and try it on Northern conscience." (Cheers and laughter.) He concluded, amidst great applause, by telling the Know-Nothings that he would make no compromise, no parley, no terms, with them. "They shall either crush me or I will crush them in this State;" and he did crush them. It would need a volume of itself to portray the excitement of the Virginia campaign of 1855, and the important share Mr. Wise took in it. He concluded his efforts at Leesburg, having been regularly in the field from the 1st of January to the 7th of May. He travelled more than three thousand miles, made fifty speeches, and, much enfeebled and exhausted, retired to Washington and there awaited the result of his brilliant and excessive labors in behalf of justice and the Constitution. The result came and grandly

vindicated his course. He was elected Governor by 10,180 majority over his opponent, Mr. Flournoy. All over the country this victory was hailed by the Democracy with delight, and congratulations—public and private, by vote, resolution, and letter—poured in upon the great Virginian.

In the fall of this year, Mr. Wise scornfully rejected the invitation to deliver one of a series of lectures on Slavery in Boston, in this wise:—

“In short, gentlemen, I will not deliver one of the lectures of the course on Slavery at the Tremont Temple, in Boston, on Thursday evening, January 10, 1858; and there will be no Thursday evening between the middle of December and the middle of March next, or between that and doomsday, which will best accommodate me for that purpose.”

On the Slavery and Territorial questions Governor Wise is equally emphatic as on the subject of “Americanism.” In a letter to the “Dowdell Festival” in Alabama, and in another letter to the National Democratic party of New York, both in the fall of 1855, as well as in several letters and addresses, Governor Wise has given his views. He favored the Kansas-Nebraska Bill. The Missouri Compromise was the first act to violate Washington’s injunction not to recognise geographical lines; it was the first to make a border between the North and South,—the first to begin the separation of the States. He was opposed to it, and believed that the Kansas-Nebraska Bill brought us back to the Constitution by restoring us to *statu quo ante* 1819–20, where Washington and Hancock, Adams and Jefferson, Virginia and Massachusetts, and the old Thirteen, stood. He held that the “fanatics of fusion” who “agreed to disagree” have never abided by the Compromise. They have broken its every letter and spirit.

“In the States and Territories and District, in the Indian country, on the trade *in transitu* between States, Districts, and Territories, on the acquisition of territory, on the organization and admission of States into the Union, on questions of peace and war,—ever, everywhere, always, in season and out of season,—they have raised the question against slavery, until they have, on various occasions, nearly raised the very demon of civil war and disunion! They have harbored English emissaries, raised foreign funds, wielded associated influence and capital, wearied Congress with petitions, fatigued the public mind with compromises, filled it with

reviling and abuse, pensioned press, pulpit, preacher, teacher, run underground railroads, spirited away runaways; have scattered, broadcast, tales of holy horrors; painted, on the stage, scenes; written log-cabin novels; lectured, ranted, rioted, until they have made us a divided people,—until they have cut the continent in two by a line of border feuds,—until they have separated our churches, set us apart socially at the watering and other places,—and until they have engendered a sectional antagonism more becoming enemies in hostile array than tolerant neighbors, much less united brethren,—children of one father,—children of a common country,—the only children the Father of that country ever had, whose farewell is still our warning.”

When the “Lecompton” agitation came up, Governor Wise, in a letter to John W. Forney and others of Philadelphia, regretted that he was constrained by his convictions to differ with President Buchanan, his friend of twenty years, and for whose election he was as much responsible as any other man in the country. He was opposed to Congressional intervention. “We are told,” said he, “that we are to shut our eyes to the record. What evidence have we, then, that it is a Constitution at all? We are told that this is *not the time* to raise the question, *de facto*, whether it is the act and deed of the people of Kansas. When would be the time, when was the time, if it be not the time now?” He did not believe that expediency should be carried so far as to allow Congress to set its will over the will of the people of Kansas and give a minority Constitution to a majority. He was told that the “prompt admission” of Kansas would end the agitation. He did not believe the “Kansas question” could ever be local again. If Congress endorsed this schedule of legerdemain, if the South insisted on it, and the Northern Democracy were required to consent to the injustice, the precedent would become universal. It would return the chalice to our own lips, he said, when the “Kansas question” again and again would arise in North Texas, New Mexico, Mesilla Valley, and in all our boundless domain. He believed such a course would drive thousands of honest Democrats in the North from us. During the great Illinois campaign of 1858, Governor Wise wrote a most hearty and enthusiastic letter, cheering on the Democracy for Douglas, and would have gone personally into the struggle but for the duties of state and the still more tender duties of family which kept him in Richmond.

In 1859 Governor Wise published an elaborate historical and constitutional treatise on Territorial Government and the admission of new States into the Union. It was drawn forth by a letter from William F. Samford, Esq., of Alabama, requesting the Governor's views. The object of the treatise was to elucidate the truths of history and the construction of the Constitution and laws pertaining to Territories and the admission of States, in view of the fact that the great question of the "settlement" of the Territories and new States of the Union cannot be *temporized* and *localized*, as the fashionable phrase is, by the patchwork of mere politicians and partisans. Governor Wise thinks it unphilosophical to attempt it, and that a sound, fixed rule of policy should be adopted and inflexibly adhered to. He shows that *intervention for protection* is all-pervading, and is one of the most vitally essential attributes of the Federal Union. The Slavery contest is one not to be decided by the laws of man, but by the laws of nature and the providence of God. Nature's music harmonizes all. "The law of frost and the law of the sun are reconciled and kiss each other in the blending of light and of temperature, in the equipoise of expansion and contraction, in the variety of climate and of production, in the supply and sustentation of animal and vegetable life and health in every form of its existence." Governor Wise lives north of $36^{\circ} 30'$, and he is a slaveholder by inheritance and purchase, and, as he says, would gladly own a great many more if he were able. His slaves love him, and, as he knows they would fight for him, he will fight for them.

Toward the close of 1857, the Richmond "Enquirer" interrogated Governor Wise as to his position touching the election of United States Senator. For many months rumors had been circulated that it was his desire and design to oust Senator Hunter and occupy the Senatorial seat himself. Taking the opportunity presented by the "Enquirer," the Governor wrote a letter denying the truth of the rumor, and stating, with the usual frankness of the writer, that he did not want a seat in the Senate, and, if he did, would not have it at Mr. Hunter's expense, — hoped that Mr. Hunter did not desire a re-election at his (Wise's) expense, and wished in future to be relieved of the penalty of being considered his rival for the place in question.

As was to be expected from Governor Wise's war on "Americanism" as opposed to the constitutional rights of foreign-born citizens, he came out in opposition to Secretary Cass's views in the Le Clerc letter. He is opposed to the opening of the slave-trade, and in favor of Congressional protection of slavery in the Territories.

Governor Wise has filled a large and important space in the history of his time. Always fearless, clear, and uncompromising, his opinions never fail to attract attention and awaken discussion. While this sketch was being written, the startling news was flashed over the country that a servile insurrection had broken out at Harper's Ferry. Governor Wise was promptly on the ground of the disaster; and the acclaim with which he was received on his return to Richmond showed how satisfied the people were with his intentions for defence had a crisis arisen.

The conspiracy and effort at insurrection attempted at Harper's Ferry constituted one of the most surprising and startling episodes in the history of our country. A fanatical man, stimulated to desperation by the teachings and appeals of wild and treasonable enthusiasts, unrestrained by the Constitution and laws of the land, formed a conspiracy to stir up servile insurrection. Renting a farm in the State of Maryland, within a few miles of Harper's Ferry, the conspirators remained for some months apparently engaged in peaceful pursuits, during which time they took every means to conciliate the kind feelings of the people, especially those of Harper's Ferry. They familiarized themselves with the localities, streets, houses, and workshops, so that a seizure might be made at any hour of the night without attracting unusual attention. On the part of the inhabitants the sense of security was perfect and universal. Having cut the telegraphic wires, the conspirators, unmolested and unobserved, entered the village on the night of Sunday, October 16, 1859, seized upon the solitary watchman placed at the arsenal as protection against fire only, and possessed themselves speedily of all the buildings containing arms or suitable for defence. The next movement was to seize the principal men of the place, with whom their residence near there had made them acquainted. These arrests were made singly, and in every instance by several perfectly-armed men, who conveyed their prisoners to the place

of confinement. This process was carried on throughout the night, and extended not only to the village, but to the country around.

When morning came, the people of the village gathered to the scene of confusion about the arsenal. The conspirators now commenced a fire upon them; and the citizens of the place, getting together such arms as were not in the possession of the plunderers, immediately returned the fire of the assailants with such effect that in the course of a few hours they were driven from their positions, and all either killed or wounded, with the exception of the leader and half a dozen others of his party, who were driven into an engine-house, whither they fled for security. They carried along with them ten or twelve of the prisoners they had taken the night before, who were to be used as hostages, as the robbers alleged, to prevent the fire of the citizens outside from being directed toward themselves in the house where they had taken shelter.

Throughout the whole day on Monday, from twelve o'clock, at which time intelligence of the outbreak reached Washington, the most exaggerated accounts were received of the state of things at Harper's Ferry and the number of persons engaged in it. Prompt measures, however, were taken, and Brevet Colonel Robert E. Lee, of the First Cavalry, was at once summoned to take command of a detachment of marines and two companies of volunteers from Frederick, Maryland, who had promptly offered their services. The troops reached the scene of action during the night.

The next morning, at an early hour, Colonel Lee gave orders to the marines to attack and carry the house where the conspirators were strongly barricaded, which was very promptly and gallantly done by Major Russell.*

The prompt energy with which Governor Wise applied himself to the emergency, and the force of his appeals exhorting the State to be prepared for any future exigency, attracted the com-

* This account is condensed from the Annual Report of the Hon. Secretary of War. Among the citizens killed was F. Beckham, the Mayor of the town. All of the insurgents were either killed or captured, with one or two exceptions. The leader, John Brown, of Kansas notoriety, was hanged on the 2d of December, 1859.

ment and applause of the conservative national men and presses all over the country. His Gubernatorial term expired with the year 1859.

By his friends Governor Wise is held up as a "benefactor to the nineteenth century," and by his enemies is abused in an equal ratio; none, however, failing to give him credit for a chivalrous, upright, unmistakable openness and decision of action. Let us, in conclusion, hear a political admirer condense his career into a nutshell:—

"His political history, from its early commencement till now, is marked throughout by an almost unbroken series of brilliant successes. In every sphere of his public life he has been found not efficient only, but more than equal to the most trying emergencies or the most difficult, dangerous, and delicate tasks. As Representative in Congress, as foreign Minister, as member of the Reform Convention, as Governor of Virginia,—in every thing he has ever attempted,—Henry A. Wise has been distinguished as an extraordinary man."

The same writer—in a pamphlet from which this paragraph is taken—very eloquently advocates the claims and availability of Governor Wise for the Democratic nomination for the Presidency in 1860.

JOHN E. WOOL,

OF NEW YORK.

THIS eminent soldier and citizen, of whom New York is justly proud, was born at Newburgh, and comes of a stock distinguished for gallantry and patriotism. At the breaking out of the Revolution, his grandfather, James Wool, was a farmer, living in Rensselaer County, almost on the frontier. Five of his sons tramped through the battle-fields. Two were made prisoners at the taking of Fort Washington and suffered the horrors of the prison-ship, from the effects of which one died and the other barely survived. Another commanded a company in Lamb's Artillery and went with Montgomery to Quebec, and afterward served with, and was severely wounded under, Washington in New Jersey. Another was with Stark at Bennington; and the father of the subject of this sketch was with Wayne at Stony Point. They were all dashing soldiers, contributing to the early honor and glory of American arms even as their still more famous relative contributed to the honor and glory attaching to the latest military history of the Republic.

General Wool's life is full of singular significance and hearty inspiration to youth. He is essentially a self-made man,—his own schoolmaster and his own pupil. But four years old at the death of his father, the child was taken by his grandfather, and, at the age of twelve, with the scanty results of a limited attendance at a country school, was placed in a store at Troy. In this position he remained for six years, when he took charge of a stationery store, with the privilege of "doing a little business on his own account." A fire left nothing of his stock or hopes, and he entered the law-office of Mr. John Russell, of Troy, and remained there more than a year.

About this time, a war between the United States and Great Britain becoming imminent, Congress authorized the raising of twenty-

five thousand men. The blood of Stony Point was aroused, and, leaving his law-books and office, young Wool, under the recommendation of Governor Clinton, sought and obtained an appointment in the army as a captain in the Thirteenth United States Infantry. This was in the spring of 1812, just before the declaration of war. Recruiting his company, he joined the regiment at Greenbush, and continued there until September, when the regiment was ordered to the Niagara frontier. It was not long before Captain Wool made his mark.

To recover some of the ground lost by the unfortunate operations of Hull, General Van Rensselaer determined to cross the Niagara River, storm Fort George, and carry the Heights of Queenstown. Six hundred men were detached to commence the movement by establishing themselves on the heights. Owing to a scarcity of boats, however, only three companies of Lieutenant-Colonel Chrystie's command,—those of Wool, Malcolm, and Armstrong,—with about one hundred regulars and militia under Lieutenant-Colonel Van Rensselaer, including a small detachment of United States artillery, were enabled to embark at one time. Under a heavy fire the Thirteenth landed on the 13th of October, about three o'clock in the morning, and Wool, being the senior captain, by the order of Van Rensselaer, who landed at some distance, formed his three companies on a plateau near the foot of the heights, the enemy having retreated before him. While thus situated, and awaiting further orders, the British from Queenstown made a severe attack on the Thirteenth, but were finally repulsed, after inflicting serious loss on the Americans. Wool was shot through both thighs; Malcolm and Armstrong were badly wounded; Lieutenants Vallean and Morris killed, and Lieutenant Lent wounded in the arm; besides great losses among the non-commissioned officers and privates. Van Rensselaer failing from loss of blood, and the remainder of the troops not having arrived from the American side, a descent was ordered; but Wool, flushed with enthusiasm, volunteered to storm the heights. The colonel was unwilling to trust so important an enterprise to so young an officer, whose actual service had but commenced that morning; but, the ardor of the young captain being seconded by his officers, his offer was accepted. Insensible to the pain of his wounds, and only thinking of the

glory to be won, Captain Wool led his men up the steep ascent. Supporting themselves by their muskets, they finally gained the eminence in the rear of the battery, and, driving a detachment of the Forty-Ninth British down the heights, Wool and his gallant comrades raised the American flag to greet the dawn of that glorious day. But the fight did not end here. Aroused by the cannon at Queenstown, the British general, Sir Isaac Brock, hastened from Fort George at the head of a greatly superior force, and attacked the Americans with such impetuosity as to drive them to the brow of the cliff. The position of these raw Americans was now one of terrible danger. Before them were British veterans who had won European honors,—behind them an almost perpendicular cliff. At this moment some fluttering heart raised a white flag. The sight of it drove the blood still more fervidly through the veins of the young captain. Tearing down the dastardly emblem of surrender, he made a manly appeal to his men, checked the panic, and, reinspiring his party to become the assailants, he drove the British down the heights. In turn, Brock rallied his troops, and, dashing on the Americans, he fell dead, when a general rout followed, leaving Wool the hero and master of the heights. Thus, says a distinguished authority, “the American arms were saved from disgrace and covered with glory by the unyielding firmness of one man; and a moral example was given which, like that of Bunker Hill, imparted its invigorating influence to all the subsequent transactions of the war. The light which spread its radiance over the plains of Niagara and New Orleans first dawned on the Heights of Queenstown.” All the journals of the day abound with encomiums on the gallantry of Wool, who at this time was—according to the “National Intelligencer” of that day—only twenty-three years of age. He was immediately promoted to the rank of major, and continued in the Twenty-Ninth Infantry on the Northern frontier, sustaining the reputation he had achieved at Queenstown.

In the series of fights which took place about Beekmantown and Plattsburg from the 6th to the 11th of September, 1814, Major Wool greatly distinguished himself. With two hundred and fifty regulars and the militia under Colonel Miller, he kept the whole British column of four thousand at bay, fighting them

inch by inch and killing or wounding nearly two hundred of them. He was honorably mentioned in his general's despatches and was brevetted lieutenant-colonel. Well might General Viele say to Wool, "The bloody Saranac will never cease to murmur your praise,"* and Governor Young remark that "the people of the whole country saw Captain Wool at Queenstown marking his course with his own blood, and Major Wool at Plattsburg and at Beekmantown gallantly resisting, with two hundred men, the whole British line."† Wool's reputation was now established. Cool, intrepid, and as quick in the field to originate as to execute orders, the Government was aware of his importance, and in 1816 offered him a choice of three appointments. He selected the Inspector-Generalship of Division, as it offered great scope for activity and usefulness; and in 1821 he was appointed one of the two Inspector-Generals of the army.

In 1828, John C. Calhoun thus recognises General Wool's services in this position:—"During the whole period that I had charge of the Department, you performed the very laborious and highly responsible duties of your office with honor to yourself, with fidelity to your trust, and to the entire confidence of myself."

In 1830, General Wool made a report discouraging the erection of fortifications on the Northern frontier, and showing that modern science had rendered fortified posts useless between contiguous nations. His report on the reduction of the army in the same year is regarded as a model of its kind. In 1832, the Government sent General Wool to Europe to collect information connected with military science. He was kindly welcomed by Louis Philippe, and received from the French Government every attention which might further the objects of his visit. He was one of the king's suite at a grand review of seventy thousand men and one hundred pieces of artillery. In November of the same year he was the guest of the King of Belgium, and with him reviewed a hundred thousand troops and inspected the famous fortifications of Antwerp, at the siege of which, under Chasse, he was also present. In 1835, when Jackson determined that

* Public Address of General Viele to General Wool in 1848.

† Address of Governor Young on presenting General Wool with a sword in 1848.

France should pay its old debt, General Wool was ordered to inspect the coast-defences from Maine to the delta of the Mississippi. His report, as well as that also on the Western defences, is highly commended. In 1836, having been intrusted with the removal of the Indians from the Cherokee country to Arkansas, he performed the delicate duty in so satisfactory a manner as to draw forth the most flattering testimonials from the Tennessee volunteers who acted under him. At his own request, he was subjected to a court of inquiry, the Governor of Alabama having charged him with an "attempt to usurp the power of civil tribunals" while in that State. General Wool's defence was a masterly production, and the inquiry resulted in an honorable acquittal.

In 1838, during the Canadian difficulties, he was employed in a reconnoissance in the wilds of Maine for the defence of the frontier, and discharged his arduous duties with an iron will which, in the eyes of his admirers, "assimilates him in so marked a degree to General Jackson."

This long experience and indefatigable attention to business in almost every branch of the country's service made him of immeasurable efficiency in the Mexican War. Indeed, it has been boasted that "to his industry, address, and energy in organizing, inspecting, and mustering into service twelve thousand men, from six different States, in six weeks, and pouring them down to the support of the enveloped column of Taylor, and leading a portion of them on his immortal march of nine hundred miles through an enemy's country, and effecting a junction with Taylor without losing a man,—organizing and drilling the united command, selecting the frontier of Buena Vista, and promptly occupying it in the face of the advancing Mexicans,—may the great success of that war be attributed."* The battle of Buena Vista electrified the whole American people, and a despondency which was nearly universal was followed by universal rejoicing. Their apprehensions for the safety of General Taylor's army, with which it was known General Wool's column had united, were most alarming, and the belief was becoming prevalent that both generals would be sacrificed. The cloud was

* "Democratic Review," 1851, vol. xxix.

dispelled, the name of Wool was glorified throughout the land, and the Presidency itself was deemed an inadequate reward for the services of General Taylor; yet in many of the later accounts of the battle of Buena Vista the name of Wool is scarcely mentioned, and in some it might seem somewhat doubtful whether he was in it.*

It is impossible to follow the elaborate details of the energy and activity of General Wool as recorded by his biographers. To the military student his plans and manœuvres must ever be a valuable source of information; but in the space allotted here little more can be done than to present a comprehensive epitome of a career so full of vigorous service and successful results. His strict discipline and the restraints he put on the volunteers subjected General Wool to the dislike of those men until they became soldiers: then he was the object of their admiration. He had to create a useful army. Only one regiment of the volunteers had been under fire before the battle of Buena Vista; and, feeling that his great dependence in the hour of trial would be upon that self-confiding bravery which discipline inspires, he directed the energies and experience of his military life to perfect his army from the moment it was concentrated at San Antonio. To these weighty services Taylor testifies in his detailed report of the great battle:—"To Brigadier-General Wool my obligations are especially due. The high state of discipline and instruction of several of the volunteer regiments was attained under his command; and to his vigilance and arduous services before the action, and his gallantry and activity on the field, a large share of our success is justly to be attributed. During most of the engagement he was in immediate command of the troops thrown back on our left flank. I beg leave to recommend him to the favorable notice of the Government."†

Everywhere he was seen rallying and encouraging the volunteers and disposing the forces. It was a miracle that he escaped

* See "A Narrative of Major-General Wool's Campaign in Mexico in the Years 1846, 1847, and 1848, by Francis Baylies, of Massachusetts. Albany, 1851."

† General Taylor's Report, dated March 6, 1847; see, also, Taylor's first Report, dated February 24.

the balls which thinned the ranks he was marshalling.* The confidence he inspired may be seen from the following passage in a letter written by General Cushing, which I am permitted to copy. It is dated Buena Vista, August 20, 1847:—"I shall never cease to esteem it one of the most fortunate incidents of my life to have been placed, though but for so short a period of time, under your command, and in such relation to it as to afford me the means of observing and learning to follow the rules of discipline and principles of military administration which direct your conduct as the chief of an army. As a school of instruction in one of the highest departments of human knowledge, it has been of inappreciable value to me. And the careful study of the orders governing your long and successful march from Lavacca, while it has added to the exalted respect I previously entertained for your military character and to my admiration of that most ably-conducted expedition, has laid before me a model of its class." Colonel Samuel R. Curtis, commanding the Third Regiment of Ohio Volunteers, and since a member of Congress, wrote to General Wool (under date Saltillo, June 23, 1847) thus:—"The toil, privations, and dangers of war are associated with some agreeable reminiscences; and I shall always look back with pride and pleasure on the humble services I have performed under a general qualified for the highest station, since he has shown himself, on all occasions, distinguished for coolness, courage, and caution,—three attributes rarely combined, but cardinal points in a military commander." And General Lane, with the truthful impulse of his nature, said Wool won laurels and a fame that would endure as long as the traces of American history shall exist.

Injudicious friends of General Taylor have at times and in various ways attacked General Wool, and it is to be said to the honor of the latter that he never, "directly or indirectly, or in any degree, detracted from the merits of the commander-in-chief." In letters written by Wool to Daniel Webster, Lewis Cass, John Bell, W. C. Rives, Joshua A. Spencer, John A. Dix, and many others, he has extolled the character and achievements of Taylor. Jefferson Davis, acknowledging the receipt of such a

* Account of the battle, by Major Coffee.

letter addressed to General Gibson, says, (under date Saltillo, March 25, 1847,) "In these times of petty jealousy and ignoble strife for public approbation it is quite refreshing to see one so prominent in the scenes you describe forgetting himself to sustain and commend his commander."

Having been promoted to the rank of brevet major-general for gallant and distinguished conduct at Buena Vista, Wool remained in command at Saltillo until November 25, when, Taylor leaving for the United States, the chief command devolved on him, and so continued till the 5th of June, 1848, when the commissioners, Sevier and Clifford, officially notified him of the termination of the war. He arrived at Washington on the 17th of August, and reached New York on the following day, where he was received by the Citizens' Corps, under Colonel Pierce, and a committee of one hundred citizens of Troy. On the morning of the 19th he was escorted, by the City Guards, the Troy Citizens' Corps, and committee, to the steamboat Hendrik Hudson, which the Trojans had chartered to conduct the general to their city and his home. His course up the river was a splendid ovation, the citizens on shore cheering the general as he passed the towns and villages. Especial demonstrations were made at Poughkeepsie, Albany, and West Troy. The whole people assembled at Troy to greet him, and so great was the enthusiasm and dense the multitude that several hours elapsed before he reached his residence. Soon after the news from Buena Vista, the citizens of Troy, in Common Council assembled, had expressed their gratification at General Wool's conduct, and resolved to tender him a sword. This was presented on the 23d of August, at a public reception in which Millard Fillmore and all the leading civil and military personages in the community participated. In reply to an address of General Viele, General Wool made a brief and modest speech. He afterward reviewed the military, and was received by the city authorities at the courthouse and presented with the sword, on receiving which the distinguished soldier made a suitable address. The thunders of cannon, the animating sounds of martial music, the deafening cheers of forty thousand people, the splendid array of the citizen soldiers, the contrast between military splendor and civic dignity, the pathway of a victor strewn with flowers by

female hands, presented scenes which kindled the enthusiasm of all generous and romantic minds.* The State of New York passed resolutions of honor, and presented a sword to him at the Capitol in Albany, December, 1848; and the Congress of the United States also, on the 4th of January, 1854, voted a sword as a mark of the nation's gratitude, which the Secretary of War, Hon. John B. Floyd, transmitted by special messenger, with a most complimentary letter.

General Wool cherishes these splendid tokens of the respect and approbation of his fellow-citizens, his fellow-countrymen, his native State, and the nation, with that honest and unpretending pride which so well becomes the modesty of true valor and worth.

Toward the close of the year 1853, the command of the Department of the Pacific, always one of grave responsibility, had become peculiarly important and delicate in consequence of the "filibuster expeditions" which were believed to be fitting out in California. Reposing great confidence in his wisdom and discretion, the Government selected General Wool for the command. Summoned to Washington to have an interview with the President and Secretary of War, he at once expressed his willingness to undertake the arduous duty. Many of his friends thought this a hard requital for a long life of service; but the general unhesitatingly, indeed cheerfully, accepted, believing it to be his duty, which, under every circumstance, he had made the rule of his life. He was appointed January 9, 1854.

In addition to the ordinary duties of the Military Department of the Pacific, certain special duties were assigned him. He was instructed to maintain our international obligations by preventing unlawful expeditions against foreign Powers; to protect the Mexican territory from Indian incursions, as required by the treaty of Guadalupe Hidalgo; to extend his vigilance to the Territory of Utah; to remove the Indians in California to the reservations provided for them; to exercise a strict supervision over the expenditures; and to collect as much topographical information as was possible.†

* Baylies's "Narrative, &c.," p. 72.

† See "Letter of Instruction from Hon. Jefferson Davis, Secretary of War, to Brevet Major-General John E. Wool, U.S.A." Ex. Doc., No. 88, H. of R., Thirty-Fifth Congress, First Session.

General Wool arrived in California about the middle of February, and immediately set to work to discharge his duties. How promptly and effectively he dealt with the "filibusters" may be seen from the lengthy correspondence published by Government.* He co-operated with, but did not assume nor interfere with any of the functions of, the civil officers; and the United States Marshal and District-Attorney, by letters, congratulated him on the success of his official career in sustaining the Neutrality Laws.† After the surrender and indictment of Walker, the trial of the French Consul Dillon, the trial and conviction of Watkins, Emery, and the Mexican Consul, General Wool restricted himself to "simply rendering aid to the civil authorities," which duty, however, was practically nullified about the middle of September by the removal, by order of the War Department, of his head-quarters from San Francisco to Benicia, an obscure post about thirty miles inland. In the spring of 1855 he made a tour of inspection and reconnoissance through the distant Territories of Oregon and Washington, and instituted measures of protection for the inhabitants and the emigrants. Returning to Benicia, he remained there until the breaking out of Indian hostilities in the Territories of Washington and Oregon in the fall of 1855. On receiving intelligence of this, General Wool immediately repaired to the scene of action to suppress the disturbances. After taking the necessary measures to accomplish this object, he returned to California to perfect his arrangements, and arrived there in January. Early the following spring, his arrangements being fully completed, he repaired a third time to these distant Territories, and, by his prompt measures, in the face of various adverse circumstances and in despite of all opposition, put an end to the war in less than three months. Soon after, he returned to California, where he remained until near the close of the Pierce Administration, when he received an order relieving him from his "banishment" and restoring him to the command of the East.

General Wool's return created even a wilder enthusiasm than on the former occasion. It was all the more gratifying as it was

* "Letter of Instruction, &c.," pp. 27-30, 57, 61, 66-68, 94-96, 111-114.

† Ibid., pp. 155-156.

impromptu, it not being known until that morning—March 16, 1857—that he had arrived in New York. His personal friends could not reach him, so great was the crowd. After some struggling, the Mayor of Troy managed to convey the general to a carriage, when he was escorted to his home by several fine military bands and amid the excitement of the welcoming populace. Meetings of congratulation were held, and he was again the recipient of the honors of civic resolutions. From that time General Wool has continued to reside in Troy, the head-quarters of the Department of the East, and no one enjoys a more hearty popularity.

General Wool has been likened to General Greene of Revolutionary fame, and there are some points of resemblance in character and fortune. Their parentage was different, for Wool's father was a soldier, while Greene's was a Quaker; but the earliest periods of their lives were passed in the humble obscurity of country towns and among farmers. Greene commenced life as a blacksmith, Wool as a trader. Both were untaught in the schools,—both had the same passion for books and reading, and the same enthusiastic temperament and gay manners. Both acquired distinction early, both were abused by calumniators and detractors, both were compelled to encounter, at times, the hostility of the Government, and both came forth from the controversies with fresher laurels and higher honors. Both felt a most imperious sense of their military duties and were the most rigid disciplinarians,—benevolent in their feelings, but inflexible when justice demanded punishment. Both created efficient soldiers from raw militia-men and volunteers, and, by the force of energy, discipline, and a peculiar faculty for command, transformed disorderly mobs into regular armies. In some particulars their fortunes were different. Greene never won a battle, but always, like Blucher, after defeat secured the fruits of a victory. Wool was never defeated.*

* Baylies's "Narrative, &c.," p. 46.

THE END.

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